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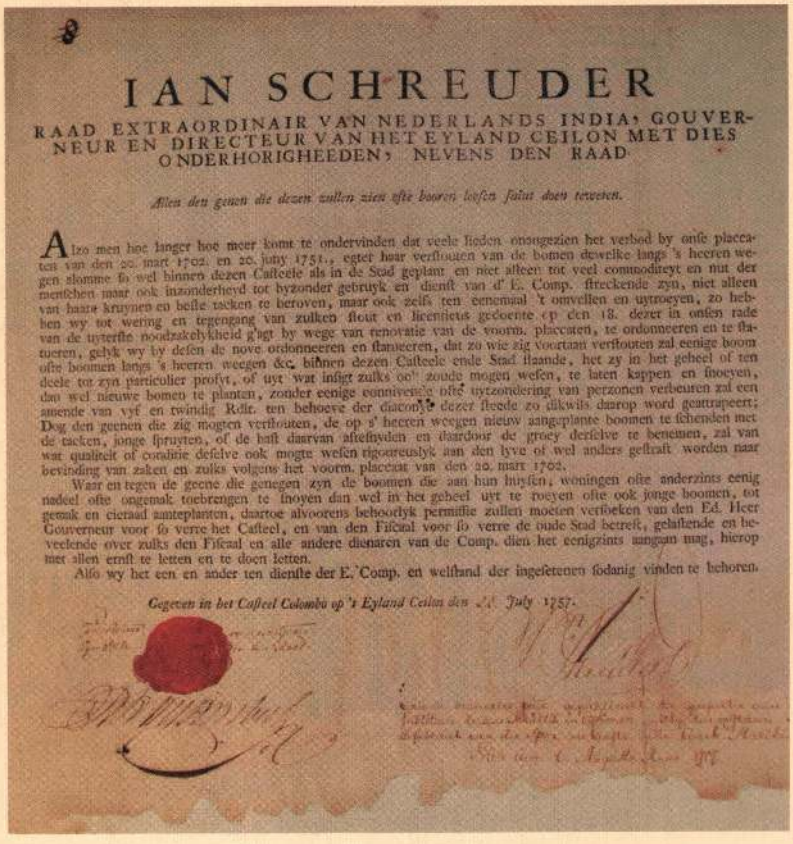

IAN SCHREUDER

RAAD EXTRAORDINAIR VAN NEDERLANDS INDIA, GOUVERNEUR EN DIRECTEUR VAN HET EYLAND CEILON MET DIES ONDERHORIGHEEDEN, NEVENS DEN RAAD

Allen den genen die dezen zullen zien ofte hooren leesen salut doen tweeten.

Alzo men hoe langer hoe meer komt te ondervinden dat veele lieden onaangezien het verbod by onse placcaten van den 20. mart 1702. en 20. july 1751., egter haar verstouten van de bomen dewelke langs 's heeren wegen slomme so wel binnen dezen Casteele als in de Stad geplant en niet alleen tot veel commoditeyt en nut der menschen maar ook inzonderheyd tot byzonder gebruyk en dienst van d' E. Comp. streckende zyn, niet alleen van haare kruynen en beste tacken te beroven, maar ook zelfs ten eenemaal 't omvellen en uytroeyen, zo hebben wy tot weering en tegengang van zulken stout en licentieus gedoente op den 18. dezer in onsen rade van de uytterste noodzakelykheid g'agt by wege van renovatie van de voorm. placcaten, te ordonneeren en te statueren, gelyk wy by desen de nove ordonneeren en statueeren, dat zo wie zig voortaan verstouten zal eenige boom ofte boomen langs 's heeren weegen &c. binnen dezen Casteele ende Stad staande, het zy in het geheel of ten deele tot zyn particulier profyt, of uyt wat insigt zulks oo' zoude mogen wesen, te laten kappen en snoeyen, dan wel nieuwe bomen te planten, zonder eenige conniventie ofte uytzondering van perzonen verbeuren zal een amende van vyf en twindig Rdlr. ten behoeve der diaconij dezer steede zo dikwils darop word geattrapeert; Dog den geenen die zig mogten verstouten, de op s' heeren weegen nieuw aangeplante boomen te schenden met de tacken, jonge spruyten, of de bast daarvan afteslyden en daardoor de groey derselve te benemen, zal van wat qualiteit of conditie deselve ook mogte wesen rigoureuslyk aan den lyve of wel anders gestraft worden naar bevinding van zaken en zulks volgens het voorm. placcaat van den 20. mart 1702.

Waar en tegen de geene die genegen zyn de boomen die aan hun huysen, woningen ofte anderzints eenig nadeel ofte ongemak toebrengen te snoyen dan wel in het geheel uyt te roeyen ofte ook jonge boomen, tot gemak en cieraad aanteplanten, daartoe alvoorens behoorlyk permissie zullen moeten versoeken van den Ed. Heer Gouverneur voor so verre het Casteel, en van den Fiscaal voor so verre de oude Stad betreft, gehaltende en bevelende over zulks den Fiscaal en alle andere dienaren van de Comp. dien het eenigzints aangaan mag, hierop met allen ernst te letten en te doen letten.

Also wy het een en ander ten dienste der E. Comp. en welstand der ingesetenen sodanig vinden te behoren.

Gegeven in het Casteel Colombo op 't Eyland Ceilon den 21. July 1757.

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Saroja Wettesinghe, Ph. D. (London)

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Note by the Editor

This number of the journal Sri Lanka Archives is published after a lapse of 26 years. The articles in the volume had been received by Mr. G P S H de Silva in 1989, then the Director of the Archives. Mr. de Silva had gone on early retirement in February 1990, and then, somehow or other the file containing the articles had been lost sight of.

That file was subsequently 'discovered by chance' in the Record Room and was brought to my notice. Since I had been planning for sometime to publish the fourth volume, I took the opportunity of the 'discovery' and decided to publish it as was intended by Mr. de Silva, when he had got the articles collected.

Although the articles were written almost 23 years back, they hold their validity to date, as they are on historical subjects. Some additional information on the articles, which I thought was appropriate, is given as either foot-notes or end-notes to those articles.

I thank Mr. de Silva, who at my request, was kind enough to go through the articles before they were sent to be printed. However, if there are any errors in the final compilation of the volume for the printer, except in the contents of the articles, the responsibility will be mine.

I also like to thank Ms Tharaka Nishadi, Management Assistant of this department for computerizing these articles and Mr. Palitha Chandrasiri, Archival Officer of this department for assisting me in publishing this volume.

Last but not least, I would like to thank Tharanjee Prints for doing an excellent work of printing this publication

Saroja Wettesinghe
Director National Archives

Abbreviations

AA	-	Assistant Agent
Actg. RM	-	Acting Ratemahathmaya
AGA	-	Assistant Government Agency
Asst. RM	-	Assistant Ratemahathmaya
AR	-	Administration Report
A/Ref.	-	Archive Reference
CS	-	Colonial Secretary
GA	-	Government Agent
H.E.	-	His Excellency
IKRH	-	Illangasinghe Kalukumara Rajakaruna Hurulle
KKV	-	Kumarasinghe Kania Vannia
M. of NCP	-	Manual of North Central Province of Ceylon
M. of Vanni	-	Manual of Vanni District
MV	-	Maha Vannia
NP	-	Northern Province
NCP	-	North Central Province
NK	-	Nuwarakaláviya
RM	-	Rate Mahathmaya
S.K.W.	-	Sooriyakumara Wannisinghe
S.L.N.A	-	Sri Lanka National Archives
VT	-	Village Tribunals

HISTORY OF THE REGION – NUWARAKALÁVIYA

S.S.K. Wickramanayake

Nuwarakaláviya was one of the disavanies of the Kandyan Kingdom[1] and came under British rule with the proclamation of the Kandyan Convention of 2nd March 1815.[2]

This region is commonly known as *vanni*. The precise etymology of the word is uncertain. Some scholars are of the opinion that it is derived from *Sanskrit* or *Pali Vana,* Forest.[3] The extent of *vanni* always remained unidentified.

During the period of Sinhalese rule a *Disáve* was the chief of a *Disávanie*.[5] He appointed his subordinate chiefs generally from the *Disávanie*, and they resided therein.[6] In the Nuwarakaláviya , the principle subordinate chief, who exercised the authority of the Disáva, during his absence, was known as the *Maha Vanni Unnehe.*

With the collapse of the Rajarata civilization in the thirteenth century, the Sinhalese kings moved away from their traditional capitals towards the central hills and to the South Western plain. As a result of this shifting, a territory beyond Puttalam in the Northern part of Sri Lanka, and upto the Jaffna peninsula began to assume a large share of independence, and therein the *Vanniars* seems to have emerged as native chiefs to fill the power vaccum created by the moving away of the kings.[7] According to the *Girá Sandeshaya*[8], Parakrama Bahu VI (1412 – 67) of Kotte gained a victory over the eighteen vannies which were never subdued before. During the periods of Portuguese and Dutch rule of the coastal areas some of the vanniars had paid tribute to the Portuguese and the Dutch, but the majority of them had acknowledged in theory, the authority of the king and had paid him nominal tribute

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1. *Manual of North Central Province of Ceylon*, Ievers p.59
2. *Government Gazette* - 6 March 1815
3. *University History of Ceylon* Vol.11, Part 11, p.736
4. Ibid p.59
5. Ibid p.61
6. *The Kandyan Kingdom of Ceylon 1707-1760* L.S.Dewaraja pp.188-189
7. Ibid
8. *Girá Sandesaya*, verse 137, M.Kumaranatunga (ed)

For administrative purposes Nuwarakaláviya had been divided into seventeen *pattu,* each incharge of an official known as the *Vanni Unnehe* or *Mudiyanse,* he had performed his duties, under the authority of the *Maha Vanni Unnehe.*[9] A pattu itself was sub-divided into a number of *Tulana* administered by *inferior* headmen *Kariyakaravanna.*

During the latter days of the Kandyan kingdom, when Nuwarakaláviya was under a Disáva. He had been empowered by the king to appoint the *Vanniyás*. Dumbara Ähälepola, and Mámpitiya had acted as Disávas of Nuwarakaláviya in the eighteenth century, but they were only titular heads. They had visited the area very rarely and had gone there more on pilgrimage. The most important *Vanniya* of Nuwarakalaviya and Tamankaduwa had been the one from Anuradhapura known as the Maha Vanni Unnehe or Vanni Bandara and popularly called Nuwara Vanniya.[10] It seems that with the passage of time the office of Vannia of Anuradhapura, had come to devolve on the descendents of the same family who had come to obtain office on the payment of a stipulated sum fixed by the Disáva. The remoteness of the Disáva from the centre of activities in Mahanuwara, had apparently contributed to allowing the *Vannia* of this district in becoming more independent than his counterparts in the other dissavanies. In addition to the above mentiond facts, Nuwara Vannia had control of the four *kadavats* or gates in return for the privilege of collecting the money that had to be paid to pass the *kadavat.* For this he paid an annual tribute to the Royal Treasury.[11] Apart from that, he had been practically independent and that independence had been further strenghthened, by circumstances of drought, disease and lack of communication. According to Knox the majority of kandyans who went there died of illness due to "the filthy venomous water".[12] D'Oyly says "they are (vannias) held to posses within their respective pattus, power nearly equal to that of Disáva, but are restrained in the exercise of it when the Disáva is in their province"[13]

Thus in the latter days of the Kandyan kings the internal administration of the Nuwarakaláviya came to be the responsibility of the Maha Vannia, who had administered it, with the assistance of his subordinate vannias, and the other inferior headman.[14] The officals administering this area have had both administrative as well as judicial powers. In the Nuwarakaláviaya the Maha Vannia, as the chief of all castes and as the president of the caste court called "*variga Sabháwá*" had dealt with all problems connected with caste

9. M.of NCP p.61
10. Kandyan Kingdom p.192
11. M. of NCP. PP. 45,46
12. *An Historical Relations of Ceylon*, Robert Knox p. 247,248.
13. *Diary of Mr. John D'Oyly*, p.27
14. m. of NCP p.60

(Kula Vitti). His fee for hearing such a dispute had ranged from fifty to a hundred ridi according to the ability of the litigant and the gravity of the case.[15] This position had also led him to act as the patriarchal head of the inhabitants of the disávani.

At the time of the British occupant of Kandy, Galagoda was the Disáva of Nuwarakaláviya, and in such capacity had also been a signatory to the Convention of 1815, and had later received from the British [16] the same office that he had held during the time of the last king of Kandy. Thus, he together with the Maha Vannia, and the other Vannias of the disávanni had continued to hold office under British rule.

From the very inception of the British administration over the Kandyan provinces D'Oyly was of opinion that the Vanniars were exercising powers which were far beyond the expected standards of the Native Chieftains. Therefore, in 1815 D'Oyly had suggested that the Vannia should relinquish his right of collecting taxes from *Kadavat* or gates.[17] But the Vannia had objected to this proposal, not from a financial or revenue point of view, but on grounds that it would diminish his dignity in the face of the wealthy merchants who had to show their respect to him then, before passing through the *Kadavat.*[18]

The newly acquired Kandyan provinces were placed under a Board of Commissioners in Oct.1816 [19] and for purpose of administration they were divided into five agencies.[20] In the division, Nuwarakaláviya which came within the Eastern division was placed under the jurisdiction of the Agent of Nalanda(Matale) and the western division was brought under the jurisdiction of the agent of the seven Korales.[21] This administrative arrangements was however short lived, for with the proclamation of 1818,[22] issued after the suppression of the rebellion in that year, the Eastern division was brought under the immediate control and jurisdiction of the Board of Commissioners , while the Western division was allowed to remain under the agent of the Seven Korales. This arrangement too was a short-lived, for once again in 1819, a change was introduced wherein a system very much similar to the earlier arrangement came into force.[23] The latter set-up remained in force until 1833,[24] when the island came under an unified administrative system.

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15. *Kandyan Kingdom* p.190
16. *Government Gazette* 22 March 1815
17. *M. of NCP* p.113
18. Ibid
19. *Doyly's Diary*, p.xii
20. *M. of NCP*. p. 62
21. Ibid
22. *Government Proclamation*, 21 November 1818, *Ceylon Gazette* 28 Nov.1818 No.89
23. Minute by the Governer, 18 September 1819, 7/203
24. The Colebrook – Cameron Reforms

During the period 1815-1833 although the two divisions of the Disávani were under the control of the Board of Commissioners and that of the Agent of the Seven Korales, its administration was in the hands of the native chiefs, mainly due to its remoteness from the centre of activities and the difficulties of commiunication.

In 1833, with the acceptance and implementation of the recommendations of the Colebrooke-Cameron Commission, the Nuwarakaláviya district was placed under the Government Agent of the Northern Province, with an Assistant Agent at Anuradhapura.

The first residential British officer administering Anuradhapura was McCaskill, and following the reorganization of 1833, he was appointed its first District Judge as well.[25] with the appointment of this officer, wielding both administrative and judicial powers, the actual administration of Nuwarakaláviya came under the direct authority of the British.

Although the British had now taken full control of this area, it is seen that during the first four decades of its rule by the British, only two Governors had visited Nuwarakaláviya i.e. Governor Ward in 1856 [26] and Governor Gregory in July 1872.[27] By the latter year, the Government was considering the creation of a new agency in the North Central Province. After due consideration although an agency was approved in 1873, the Governor, on the ground of economy held that the Agency should be a minor one and attached it to the Junior Class of the Civil Service. The reason adduced for this attachment was, that this province was the poorest in the island.

The North Central Province was the only province at this period of time, where there were no Assistant Agents. Unlike the other provinces it was not divided into districts, but was divided into divisions called *palát*, and a *paláta* was placed under a *Raté Mahathmaya*, whose functions, was to some extent, analogous with that of an Assistant Agent in the other provinces.[28]

Another peculiarity in this district was in its judicial administration in the 19th century. In 1833, when direct British administration commenced in the district, it was placed under the Government Agent, Northern Province with an Assistant at Anuradhapura who had to look after the areas of both, revenue administration and judicial functions. This system continued, even after the creation of the North Central Province in 1874 when the Agent at the station, entrusted with judicial functions in addition to his civil and revenue duties.

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25. *Ceylon Almanac*, 1834, p.249
26. *Manual of NCP* p.69
27. *Administration Report 1872,* p.107
28. Gregory to Kimberly 24 June 1873, 5/60 No.198

He as the District Judge of the Court at Anuradhapura, thus the Government Agent of the North Central Province became the only one among the Agents, to function as the District Judge while holding the office of Government Agent. In every the other province a separate District Judge administrated the judicial duties.

However, it also seen, that the North Central Province too, had had its share of general improvements that was seen in the country, during the 19th and early 20th centuries. The increase of its population, and its agriculture production, as well as the increase in its general prosperity is seen recorded in the decennial census figures available from 1871 onwards. The province was connected to the capital by road, in 1845 [29] and by rail on 1st Nov.1904.[30] Over the years it was provided with by-roads telecommunication facilities, hospitals, schools, markets and the other infrastructure required of an urban community. The thirteenth amendment to the constitution in 1987 provided for the establishment of provincial councils. The aim was the devolvement of powers to the provinces where problems specific to the provinces could solved locally with the assistance and guidance of the central government. The introduction of the provincial council administration in January 1990 has changed the face of Kachcheri administration which remained virtually unaltered since the first half of the nineteenth century.

Nuwaraväva Family

Nuwaraväva is not mentioned in the chronicles by that name, but it is believed to have had existed in the second century, under the name *Nakaravavi*, as mentioned in an inscription of Gajabahu 1(114-136AD). Originally the *Nakaravavi* would have been of moderate size and would have attained its later dimensions or after its water supply had been augmented by the canal from Naccaduva.[31] The Government Agent Central Province writing his diary in the year 1860 says " the remains of the Nuwaraväva Tank seem to show that at this tank there was once a large and important settlement and probably the residence of the chief man of the district" He has further said that tradition does not know much of the tank, except that it was repaired by the then chief Nuwaraväva about 100 years back when it was breached by the bursting of Minuwatugana tank, about three miles above it. It had been noted that since then it had remained deserted.[32]

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29. *AR* – 1872
30. *AR* - 1904
31. *University History of Ceylon*, Vol. 1 Part 1 pp.353 – 355
32. SLNA 41/58

The Suriyawamsa Nuwaraväva family claims descent from the group who accompanied the Bo-tree to Sri Lanka in 289 B.C. It is said that the first ancestor of the Nuwaraväva family was the chief of that group. According to the '*Bodhiwamsaya* ' Bodhigupta was the oldest among the eight brothers of Queen Vedisa who belonged to the 'Suriyawamsa'. The Bo-tree had been entrusted to the prince Bodhigupta who had been requested to look after it, and to make necessary arrangements for offerings to be made for it etc. [33] The Bodhi-tree was planted in Anuradhapura and it is said that Bodhigupta and his people too had settled down in or around Anuradhapura. His descendents are said to be known as the Nuwaraväva family.

One of the earliest references to the Nuwaraväva family in Western literature is to be found in Knox's *Ceylon* where mention is made that the Nuwaraväva Vanni Unnehe had entertained him in the *Vanni Unnehe's* Walauwa while he was on his way to Arippo via Nuwarakaláviya. Knox quaintly calls him the high sheriff. [34]

As mentioned above Maha Vanni Unnehe or Vannia of Anuradhapura had special rights over the protection of the sacred Bodhi Tree. It was a custom of the Buddhists to visit this shrine at least once, in one's lifetime. According to the *Culavamsa,* King Narendra Sinha (1707-1739) and king Sri Vijaya Rajasinha (1739-1747) had visited the Shrine in the eighteenth century, and on those occasions the Nuwaravannia has had to play host to the distinguished personalities.

Another important reference to the family is in the copper *sannas* that had been given to the Nuwarawewa Sooriyakumara Wannisinghe 'Mudaliyar, by King Rajadhi Rajasinha in 1793 A.D. [35] A copy of it and an English translation of it is presently to be found among the Anuradhapura Kachcheri records, now at the National Archives.

Another interesting anecdote, coming down in tradition, dates to the period of Sri Wickrama Rajasinha, 1798-1815 A.D. It is said that the king had sent messengers to Madura, to obtain four princeses who were to become his wives. Of the princesses who had arrived in response to this request, the king is said to have retained three as his queen, and had sent back one, since it had been stated, that her horoscope had been unfavorable. The return journey of this princess is supposed to have been through Nuwarakaláviya and Arippo. Thus, on her way back, Nuwarav Nuwaraväva mudiyanse or Nuvaraväva Sooriyakumára Wannisinghe Mudaliyar, who had apparently seen her, is said to have

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33. *Bodhiwamsaya,* p. 233 Rv. K.Vachissara & Rev. K. Piyatissa'ed)
34. Knox p. 257
35. SLNA 41/58

taken her as his wife. This event had been speedily brought to the notice of the king, who on receipt of such information is said to have had disguised himself as a 'Sanyasi', gone to Nuwarakaláviya and is said to have danced and sung before the Mudiyanse and his bride. It is said that in the last song, the king had referred to the fate that was to befall the chief before long, when he would be seized and put to death by the king. [36] However, there seems to be no documentary evidence available to support this episode. In the Manual of Vanni, Nuvaravăva Sooriyakumára Wannisinghe Mudaliyar is mentioned as having being beheaded by Sri Wickrama Rajasinha, without giving any reasons for it.

The Manual mentions that Nuvaravăva Sooriyakumára Wannisinghe Mudaliyar had three sons, namely, Bulankulame Mudiyanse, Nuvaravăva Sooriyakumára Wannisinghe Mudiyanse, and Upasake Mudiyanse. Bulankulama Mudiyanse was the eldest among the three, his real name had been Kumarainghe Kania Vannia [37] He had lived at Bulankulama, two miles from Anuradhapura and had been known as Bulankulama Mudiyanse. During the time of King Sri Wickrama Rajasinha he had sent his men to arrest, Bulankulame Mudiyanse, on suspicion of his having been privy to a conspiracy against the king and, the Mudiyanse on receiving word of the king's intention had fled from the Sinhalese territory. He had gone to Mulativu with his wife and about 50 retainers, and after having stayed there sometime had proceeded to Mannar. Later, in 1815, he had returned to his own district and had thereafter been appointed Vannia of Nuwarakaláviya by the British government [38]

The second son Nuvaravăva Sooriyakumára Wnnisinghe Mudiyanse had been imprisoned by the last king. And perhaps this may have been due to the activities of his brother Sooriyakumára would have probably shared a fate similar to his brother, had he not escaped from Kandy taking advantage of the British invasion of Kandy in 1815. [39] His hereditary rights too were recognized by the British, and thus he was later appointed as a local chief, after he had settled down in Nuwaravăva. Prior to 1818 the privilege of having a tiled house in the Kandyan Provinces was limited. Kandyan Proclamation of 10th December 1818, this privilege was extended to all persons having a commission for office signed by H.E. the governor. Accordingly the only tiled houses in the Nuwarakaláviya at this time had been those of the Nuwaravăva and Tamaravăva families, [40] his incidentally shows the privileged position these families had occupied among the chief families of that time.

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36. *M.of NCP* p.51
37. *Manual of Vanni* , p.23
38. Ibid.
39. *Manual of NCP* p.61
40. SLNA 41/498/C3

A change in this hierarchical position of the Nuwaraväva family is seen with the outbreak of the rebellion of 1818. This was the rebellion by which the chiefs attempted to regain firstly the Kandyan kingdom and secondly to expel the British from the island. With the spread of the uprising to Nuwarakaláviya, Sooriyakumára Mudiyanse joined the disaffected chiefs of the up-country. He had had his people assembled, and had them drilled by some Malays, but on the approach of the British troops, from Mannar headed by Mr. Backhouse, the Collector, they had dispersed. The Mudiyanse was arrested, and sent to Kandy, leaving at home only his wife, Nuvaraväva Sooriyakumára Wannisinghe Kumárihámy of Kurunegala.[41]

Sooriyakumára Mudiyanse had been detained for some time in Kandy, and later had been sent to Galle as a state prisoner. While in Kandy, he had contracted in marriage, a second wife, named Ranawana Kumárihámy of Kandy. Later, her father too was to be sent to Galle as a state prisoner, like Mudiyanse himself. Nuwaraväva Tikiri Kumárihámy or Punchi Manika Kumárihámy was the fruit of their union [42]. It was after the lapse of about 13 years that the old chief was released from confinement, on 4th Aug. 1834 and had been allowed to return to his ancestral home in Anuradhapura. Thereafter he was reinstated in his former position, but was not allowed to leave Anuradhapura without permission.[43] One half of the district was under his superintendence and his salary, including other emoluments had been higher than that received by the Raté Mahatmaya of the time.[44]

On the return of Sooriyakumára to Anuradhapura, after 13 years, he had started to live once, again, with his first wife. By that time, his second wife Ranawana Kumárihámy of Kandy, had been given in marriage to Mullegama Galagoda Nilame, the Treasurer of the last king of Kandy, and a nobleman of high standing[45].

In the meantime, several children were born to the old chief and his first wife, but they had died one after another, and at last it had seemed likely that they would have no children left. Thus with the full concurrence of his wife, Sooriyakumára Mudiyanse had sent for the daughter he had by his second wife, and on her arrival was publicly recognized as his child. Not very long after, the first wife once again gave birth to one more child, Bulankulama Banda, or Nuwaraväva Banda who was later to be known as 'young

41. SLNA 41/192
42. SLNA 41/192
43. SLNA 20/231
44. SLNA 41/220 p.13
45. 41/192

chief' the addition however does not appear to have altered the attitude of Wannisinghe Kumárihámy towards the treatment of her step daughter. The girl Nuwaraväva Tikiri Kumárihámy or Punchi Manika Kumárihámy had been later married to Galagoda Banda, who it is said had treated his wife's setp-mother with gross ingratitude[46].

In drawing attention to the religious activities of this family, it seems clear that until Mudiyanse's imprisonment in 1819,[47] the members of the Nuwaraväva family had, had the right of administering the affairs of the Bo-tree temple and of appointing its priests with the consent of the inhabitants of the district. That office was known as '*Maha Léka*ma'[48]. The duties of the '*Maha Lankame'* are to send for the tenants to appear and perform their legitimate services to the temple and to place guardians at the time of religious offerings. The remuneration of the Maha Lékama is received from the tenants, twice a year. It seems evident that the acknowledged practice of appointing the priests by the head of the Nuwaraväva family, had ceased during the long period of imprisonment of Nuwaraväva Mudiyanse, the *Maha Lékama*. Perhaps, it was due to this reason, that Ippolegame Unnánse was appointed the chief priest, in 1819, without the consent of the Nuwaraväva family.

However, with the release of Sooriyakumára Mudiyanse in 1834, he had once again resumed his duties as Maha Lékama and had also resumed the hereditary supervision of the affairs of the temple[49]. After his death, in September 1836 [50] his wife Nuwaraväva Sooriyakumára Wannisinighe Loku Kumárihámy had administered the duties pertaining to the temple.

It is seen that, after Ippolegama *Unnánse* was disrobed in 1843, by an assembly of monks of the Malwatta chapter of the *sangha*, presided over by the Mahanayake of Kandy[51],Nuwaraväva Wannisinghe Loku Kumárihámy as the Head of the Nuwaraväva family had requested the government to cancel the Act of Appointment given to the priest who had held that office for nearly twenty five years.[52] With the cancellation of that appointment a new priest had to be selected for the vacant office and there were various opinions expressed in this regard. In July 1843 the Colonial Secretary, P. Ansthtuther informed that 'the gift is however not vested in the Governor, but in the Nuwaraväva

46. 41/192
47. *M of Vanni* p.23
48. SLNA 18/5820
49. Idem
50. 41/220
51. SLNA 41/88
52. SLNA 41/163 & 41/88

Family with the approbation of the inhabitants'.[53] Thereafter Pailigama Rewatha *Unnánse* had been selected by the Nuwaraväva family, and it is recorded that, that selection was accepted not only by the three Rate Mahatmayas of the divisions, but by the people of the district as well, and finally he was given an Act of Appointment on 24.Dec.1844.[54].

Amidst these appointments, it is also seen that the relationship between the Nuwaraväva family members and the newly appointed chief priest had not been cordial in the late 1840s[55] . Since this priest had come from Kandy and was closely associated with the Malwatta establishment, it is seen that he had tried to impede the exercising of various rights that had belonged to the Nuwaraväva family. Problems had cropped up with regard to the appointments within the temple, such as the headmen of the temple, and the services rendered by *Padaviya_people, Dooreyas, Pannikiyas* and other castes.[56] As mentioned above, they were appointments earlier made by the head of the Nuwaraväva family as *Maha Lékama* of the Atamastána, but in the beginning of the 1850s the chief priest, Pailigama Rewatha Unnánse with the help of Galagoda Tikiri Banda, had prevented Nuwaraväva Loku Kumárihámy from performing those functions. Therefore some sections of the people, especially the *Padaviya people* (tennents of the temple lands) had not recognized Pailigama *Unnánse* as their chief priest[57] With these incidents had started the problem that was to lead to a chain of judicial actions. As a result of this there came to be two sections in the family, one consisting of Nuwaraväva Loku Kumárihámy, her son Bulankulama or Nuwaraväva Banda and his wife Owille Kumárihámy and the other consisting of Nuwaraväva Tikiri Kumárihámy her husband Galagoda Banda and their son Galagoda Tikiri Banda or Nuwaraväva Banda.

Even after 1852 Pailigama Rewatha *Unnánse* taking advantage of fractions in the family, had been preventing Loku Kumárihámy's group of the Nuwaraväva family from managing the affairs of the Bo-tree temple. Further Rambawe *Unnánse*, Dambawatenne *Unnánse* and certain other priests along with the inhabitants of Nuwarakaláviya had reported to H.E. the Governor the unsatisfactory conduct of the chief priest Pailigama Rewatha *Unnánse*. In reply to this petition the Colonial Secretary had informed on 6th July 1853, that H.E. the Governor could not interfere with regard to the conduct of a priest, and had mentioned that if the priest dose not satisfy people, they must proceed by law, if they do not have other alternatives according to their religious customs. [58]

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53. SLNA 41/88
54. Idem
55. 41/88
56. 41/192
57. Idem
58. Idem

However, since 1853, the relations between the two groups of the Nuwaraväva family had been acute. Some had been of the opinion that Loku Kumarihamy was not the commonly accepted chief of the family, and therefore she should not be permitted to manage the affairs of the temple. On the other hand, Galagoda Tikiri Banda, while submitting claims on behalf of his mother, had mentioned that his mother was the legitimate daughter of the Nuwaraväva Mudiyanse [59]. The chief priest had also supported the claim of Galagoda Tikiri Banda. This dispute was not settled amicably and on Bulankulame Banda's complaint, case No.156 was instituted at the District Court of Anuradhapura on 27 August. 1853 to determine the rights of the alleged daughter of the old chief Nuwaraväva Tikiri Kumárihámy and of his son Bulankulama Banda. After having heard evidence from both sides, the District Judge Flanderka gave his verdict that Tikiri Kumárihámy, the first defendant was only the adopted daughter of the old chief, but that she was entitled to get the half of the lands of the late Mudiyanse, including the house and the garden at Nuwaraväva. Further, one half of the jewellery, cattle and the other movable property of the Mudiyanse were also entrusted to her... But the right to manage the affairs of the temple, and the position of being Nuwaraväva chief was given to the plaintif exclusively, as the only issue of Nuwaraväva Mahawannia by Loku Kumárihámy. [60]

This verdict however, had not improved the relationships between the chief priest and Loku Kumárihámy's group. Thereafter, on 15 April 1854 Bulankulama Banda made another request to the government, to remove the chief priest. [61] Amidst all these objections; Pailigama *Unnánse* was with Galagoda Banda's group. For example on 10 March 1856, the chief priest informed the Assistant Agent that "he had to go to Kandy and Galagoda Banda will act as a substitute for him, in respect of anything that may be required from the temple".[62] Further on the 26 of the same month while sending a petition to the Government Agent, Northern Province the Anunáyake

Kaluebbe *Unnánse* informed that he had appointed Galagoda Banda to collect the offerings from the *Atamasthána.* In the same petition while mentioning the activities of the *Atamasthána* he had also stated that the *Atamasthána* was in a dilapidated condition as the tennents were neglecting to do *rájakáriya* on being instigated by Bulankulama Banda. Accordingly he requested the Government Agent to inform Bulankulama Banda that he should not interfere with the temple work.[63] These examples show that Kaluebbe *Unnánse* had been acting contrary to the judgement in case No. 156.

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59. Idem
60. 41/734
61. 41/192
62. 41/273
63. 41/192

This situation turned from bad to worse with the sudden death of Bulankulama Banda on 15 July 1860.[64] He had died intestate, without any instructions to his young wife Owille Kumárihámy. The latter was born in Matale, and had come to Anuradapura when she had been 14 years of age, to be married to Bulankulama Banda.[65] Their marriage took place on the 17th of June 1850.[66] Although Owille Kumárihámy was Bulankulama Banda's legal wife, according to Kandyan law; she as the widow, would not be entitled to all his property, as the property should revert to his mother Nuwaraväva Loku Kumárihámy, subsequently she bequeathed all she had to Owille Kumárihámy. But Loku Kumárihámy died on the 26 October 1861 and on the 28th of the same month Owille Kumárihámy produced the will which was said to have been given by the old chief to Loku Kumárihámy and accordingly applied for probate. At this stage, the stepdaughter Punchi Mäniká Kumárihámy, opposed this on the ground that she was the legitimate daughter of Sooriyakumára Wannisinghe Mudiyanse and therefore was entitled to have here father's estate. She , further mentioned, that the '*will*' which was produced by Owille Kumárihámy was a forged one. This case came on for trial on the 14 of March 1862. In this instance the court held that the will was genuine, and that complainants right as the alleged daughter, had been settled in the previous cases.[67]

Now, when the office of *Anunáyake* fell vacant in March1863, the headmen of the division made necessary arrangements to capitalize on the situation, and convened a meeting on 29 May 1863. At this meeting, they approved necessary regulations for the election of an *Anunáyake* and elected a committee of selection for that purpose, consisting of laymen and monks, residing in Nuwarakaláviya.[68] This committee had not consulted the members of the Nuwaraväva family in their selection, but the Government accepted the selection made by the committee. Dyke,[69] the Government Agent, had been of opinion that the election of an *Anunáyake* by a committee consisting of members nominated by the headmen of the district could be considered as an election by the people. Accordingly, the Government issued a certificate recognizing Kaluebbe Dammarakkita *Unnánse* as the Chief Priest of the *Atamastána*.[70] Perhaps; this would have been the first instance when the *Anunáyaka* post had been filled, without the involvement and consent of the members of the Nuwaraväva family.

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64. 11/788
65. 41/ 192 & 41/226 p.208
66. 41/226 p.208
67. 41/278
68. 41/734
69. Percival Ackland Dyke (1829 – 67) Collector of Jaffna in 1829. From 1833 up to his death in 1867 he functioned as the agent of the Northern Province.
70. 41/113

This newly appointed Kaluebbe Dhammarakkita Náyaka *Unnánse,* in his evidence before the Temple Land Commission on 11th Feb. 1864 had given a version of his appointment which had been advantageous to him. [71] He had mentioned that he had been elected the Chief Priest in May 1863, and thereafter the new Maha Lékama had also been appointed. This new Maha Lékam could be identified as the second husband of Owille Kumárihámy of Bulankulama Walauwa, who had been the late Shroff of the Kachcheri. Those two acts of the committee seems contradictory to each other, in the recognition given the rights of the Nuwaraväva family. At the appointment of the chief priest, the committee had completely ignored the rights of the Nuwaraväva family and had appointed Kaluebbe Dammarakkita Náyaka *Unnánse*, but at the same time, they had entrusted the next key post of *Atamastána*, the Maha Lékama post to Owille Kumárihámy's husband.

According to Kaluebbe *Unnánse* the late Maha Lékama died about four years back, when he was quite young. Between his death and the aforesaid new appointment, the office had not been filled. In the course of his evidence, the thero had also identified the late Maha Lekama as Sooriyakumara Wannisinghe Banda (popularly known as Bulankulama Banda). From other contemporary sources too he could be identified as Bulankulama Banda, the only son of late Mudiyanse who had died on 15 July 1860. Further, the thero had stated that the late Maha Lékama's (Bulankulama Banda's) father was the Maha Lékama before him. But it was correct only upto the year 1836, when Mudaliyanse had died. At that point Bulankulama Banda had been an infant, and upto 1853 his mother had perfomed the hereditary duties assigned to the family. It seems evidence that the thero, had stated the facts to suit his case and had decided to ignore the hereditary rights of the Nuwaraväva Sooriyakumara Wannisinghe Loku Kumárihámy, perhaps, because his appointment had not been referred to the Nuwaraväva Family.

Amidst these family involvements, the problem of appointing *Anunáyake* had cropped up once again on 26 May 1870, due to the demise of Kaluebbe Dammarakkita Unnanse.[72] As in the earlier occasion, the headmen made arrangements once again to appoint a new Anunáyake without consulting the Nuwaraväva family. They convened three meetings. At their third meeting the headmen were able to submit the name of Amunukola *Unnánse*, as Anunáyake of *Atamastána*. [73]

At this stage, Galagoda Tikiri Banda submitted his hereditary rights, and mentioned, that he was the son of the late Nuwaraväva Punchi Manike Kumarihamy who was the

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71. 18/5820
72. 41/183
73. 41/251

step sister of the late Nuwaraväva Banda, and the only daughter of the old Nuwaraväva chief by his second wife. He further stated that he was in possession of the Nuwaraväva ancestral house and lands. [74]

However, the Rate Mahatmayas' of the Western and Eastern Divisions, had protested against the claims of Galagoda Tikiri Banda. The Rate Mahatmaya of the Western Division stated specifically that, during the time of the of the Sinhalese Kings, the power of nominating the *Anunáyake* had been vested in the Chief of Nuwaraväva family, because he held the office of Maha Vannia, i.e. the head of the district, within which the *Atamastána* stood. He further stated that now, as the Nuwaraväva family was not holding that office or one similar to it he as the Rate Mahatmaya for the Western Division should exercise such powers within the division. [75]

On the other hand a petition sent by Medankara Mahanayake *Unnánse* of Malvatu Viharaya, Kandy had pointed out that neither Galagoda Banda nor Owille Kumárihamy had the right to appoint an *Anunanáyake* and therefore that it should be entrusted to a committee of priests of Malvatta Vihara.[76]

On this controversy there was an enquiry held by Leisching the then Assistant Government Agent and District Judge. At this enquiry both parties along with the Rate Mahatmayas gave evidence to prove their hereditary rights. At the very outset Leisching was very critical on Flanderka's verdict of case No. 156. He stated that "It is to me an invidious uncongenial task to comment on the Judgement of a predecessor, but I must also remember that important interests are involved, and that I am bound in justice to myself to urge every point which makes me take the view I do." [77] Further while examining Nuwaraväva Kumárihámy and Owille Kumárihámy, Leisching had asked them why they had not appealed when the judgement was not totally in favourof both parties. Replying to this question, Nuwaraväva Kumárihámy stated that "My husband gave a petition to the Secretary of the Court. The Assistant Agent told us not to appeal and one could not go against what he said, so we dropped it" when the same question was put to Owille Kumárihámy she also replied that "My husband wanted to appeal but the Assistant Agent prevented". While commenting on the proceedings and the verdict he further mentioned that 'I find both parties did appeal and that the security bonds for appeal are still in the case and that there is a gap beside each security bond showing that documents once filed have

74. 41/164
75. 41/788
76. 41/192
77. Idem

been taken out am will be seen on examining the case book No. 156' Thus the criticisms were lined up with a view to draw a prejudiced opinion on the judgement of case No.156, and at the same time he was fairly sympathetic to the claims of Tikiri Kumárihámy and Galagoda Banda. He mentioned that "As a matter of policy it is highly expedient that the claims of Banda should be recognized. I repeat that .....the people recognize him as their head. What is better? To have a man of that acknowledged birth discontented and unrecognized by the Government enjoying the secret sympathy of all the country or to have him as a recognized and faithful adherent to government" Coming to the point at the end Leisching gave his opinion on 22 April 1871 supporting Galagoda Banda's claim to represent the Nuwaraväva family and accepted his authority to nominate and select the *Anunáyake* on behalf of the family. He further mentioned that "Galagoda Banda was in possession of the ancestral house and lands [and] that [the] whole district will admit his title." [78]

The ancestral house and half the property entrusted to them, as a result the verdict of case No. 156 of 1853. Leisching had overestimated a part of the judgement of the above case. Taking all these factors into consideration he closed the inquiry concluding that "the Nuwaraväva Kumárihámy is the begotten and legitimate daughter of the old chief and her son is the male representative of the illustrious family." While submitting his report to the Government Leisching recommended the recognition of Galagoda Banda's nominee, Dambawetenne Rewatha *Unnánse* as chief priest of *Atamastána.*[79]

Owille Kumarihamy was not satisfied with the decision of the District Judge and therefore sent a petition to H.E the Governor on 26 April 1871 mentioning that her husband was the eldest male representative of the family. The Colonial Secretary referred this petition to the Government Agent, Northern Province for a report.[80]

Regarding the District Judge's above mentioned verdict there had been a variety of opinion. Twynam was of opinion that the mention of Dambawetenne Unnánse by Galagoda Banda and that of Amunukolle Unnanse's election without nomination by the headmen were both illegal. Commenting on Leisching's verdict Twynam stated that "I fail to see in the letter of Mr.Leisching or in the minutes of proceedings at the meeting held by him any fresh evidence brought forward in support of the claim set up by the Banda and nothing to show what ground Mr.Leisching has been so recently convinced of the right of the Banda in opposition to those of Owille Kumárihámy" and he further said that "Mr.Leisching's

78. Idem
79. 41/184
80. 41/192

letter appears to me more like a piece of special pleading in favour of the Nuwaravăva Family." [81]

Apart from Galagoda Banda's claims, Twynam was also very harsh on the manner in which Leisching had commented on a judgement of a court; ".....as in the one to be adopted policy and justice to be most dangerous and the most opposite to what the policy of the government should be that could be adopted as being calculated to bring its court into contempt and to sap the very foundation of Justice "..... He further said, that "Government has providede machinery in the shape of courts for the disposal on evidence of disputes regarding private and public rights. The proceedings of the lower tribunals are subject to review by a higher one not to seek by a side wind (if I may use the expression) as has been done with regard to the right now the subject of correspondence to get the decree of a court up set." [82]

Not only Twynam, but the Queen's Advocate too had not been favourable to Leisching's verdict. While briefing on the problem Richard F. Morgan of the Queen's Advocate office was of the opinion that the government should not issue a certificate of recognition in favour of the priest nominated either by Galagoda Banda or Nuwara Banda's group unless they could establish their right before a competent court. He further mentioned that "whether it will recognize any nomination to be made by Owille Kumárihámy with the co-operation of the inhabitants will depend upon the action to be taken by her." [83]

Taking the above facts into consideration the government notified on 13 July 1872 that until otherwise decided upon by a competent cout of law, Owille Kumarihamy was the lawful representative of Bulankulama Walauva. [84] Accordingly, Hammalawe Ratanapala *Unnánse* was nominated by Owille Kumárihamy as chief priest of *Atamastána* in the presence of thirty Buddhist priest, three Rate Mahathmayas, korales, arachchis and 361 laymen.[85] While reporting this incident to the Colonial Secretary on 20 July 1872, Government Agent Northern Province stated that Galagoda Banda had failed to take any legal steps to substantiate his claims in favour of the right to nominate the chief priest as the head of the Nuwarawewa family and therefore the court also had decreed in favour of Owille Kumarihamy. He further mentioned that he submitted all the facts relating to this inquiry to H.E. the Governor when he visited the station. Accordingly he requested

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81. 41/192
82. Idem
83. 41/192
84. 41/192
85. 41/192

the recognition of Unduruwe Hammalawe Ratanapala *Unnánse* who had been nominated by Owille Kumárihámy and elected by the people as the chief priest of the Atamastána. The government geled to this request, and thereupon on 07.08.1872 issued an Act of Appoinment to Ratanapala Unnánse appointing him the chief priest of the *Atamastána.* [86]

Subsequently on the 27th of August, 1872, she nominated Hammalawe Ratanapala *Unnánse* as Chief Priest over the eight sacred places. In the same evening, this event was celebrated at the Ruwanweli Dagaba, by tom-tom beating, [87] and the Bulankulame family, once again got back the rights and privileges which they enjoyed, up to the commencement of litigation.

Dickson, [88] after a careful study of the question, devised rules and regulations relating to the selection of the *Anunáyake*. Accordingly, an *Atamastána* Committee was formed, on Dickson's Minute of 8 March 1877.[89] This Committee was to be presided by the head of the Bulankulame family, three Rate Mahatmayas and seven koralas of the Nuwarakaláviya. Thus, when the office of *Anunayáke* fell vacant in 1885 due to the death of Hammalawe Ratanapala *Unnánse* a committee headed by Loku Banda of Bulankulame Walauwa selected Medankara Unnanse, a pupil of Ratanapala Unnánse as Chief Priest.[90] The next change took place on 23 February 1909 with the death of Medankara *Unnánse,* and in this instance too, on the recommendation of the Atamastána Committee, H.E. the Governor approved the appointment of Sri Sumana Ratanapála *Unnánse* as the chief priest of Atamastána. [91]

It is thus seen that, through the 19-20th centuries members of the Nuwaravăva family had received appointments as native chiefs, and most of them, had risen up to be Rate Mahamayas of the various divisions of the Nuwarakaláviya. Thus we see that Sooriyakumára Wannisinghe Bulankulame Loku Banda who during his carrier as a local chief from 1886-1921 had held various posts such as Inquirer into Sudden Deaths, President of the Village Tribunal, Native Writer, Rate Mahatmaya and finally in 1917 had received the rank of Disáva. Besides Bulankulame Loku Banda, another was, Illangasinhe Kalukumara Hurulle Henarath Banda of Morakewa who held key posts in the latter part

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86. 41/251
87. Idem
88. *John Frederick Dickson* 1873-79 Asst. Agent 41/192 Anuradhapura. He served as the Commissioner of Service Lands. He became the first Agent of the North Central Province
89. 41/734
90. 41/457
91. 41/457

of the 19 century and the first two decades of the 20th century. He was appointed to act as Assistant Rate Mahatmaya on 10 January. 1883, and later acted for Rate Mahatmaya Hurulu Palatha as well. In appreciation of his zealous work he was subsequently appointed President of Village Tribunals of Nuwaragam Palatha and Kelagmpalatha on 9 May 1886 and 14 August 1891 repectively. Later in 1901 he was honoured with the appointment of Rate Mahatmaya of the Hurulu Palatha. On 22 January 1908 he was selected as President of the *Atamastána* Committee, and retired from the post of Rate Mahatmaya in January 1916.

Along with these offices came various benefits to the post holders. One such was the grant of free scholarship on 28 September 1891 to P.B. Bulankulame, Step-brother of Bulankulame Banda, for his studies at Royal College. This is but only one instance indicating the honour these chiefs received for their zealous work, during the period of the British Government. Thus, these chiefs, upholding a proud ancestry and age-old custom did also learn the knowledge imparted by the then rulers and became the flag-bearers for the transformation of a society that was slowly but surely taking place, in an area which, during the first millennium after Christ was the Capital city of Sri Lanka.

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1. *Manual of NCP* p. 40
2. *History of Ceylon* Vol. I Pt. I pp. 353-355

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1. N. of NCP p. 42& 43
2. (See History of the Region)
3. *M. of NCP* p. 50&41/734

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1. *Ceylon under the British occupation* – C.R. de Silva, p.151
2. *M.of Vanni* p.23
3. *M.of Vanni* p.24
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Korale & Asst. RM Hurulu Palatha	13.08.1886	41/59	189
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RM of Hurulu Palatha	1901	AR 1901/419	201
Requests a Veadiya Arachchi post for the Kahatagasdegiliya	03.04.1901	41/794	202-203
RM as President of the Atamastána Committee	22.01.1908	41/457	204
RM informed the writer re. the Scarcity of water	09.069.1910	41/504	205
RM informed that he would not be able to attend Kandy Durbar	01.07.1910	Idem	206
Morakewa, ninda village of RM	19.01.1910	41/507	207
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SKW BULANKULAME LOKU BANDA
(L.B. Bulankulama)

Act as President of Western Division (Step brother of Timbiriwewa Mudaliar, President of Western Disáwa)	19.10.1885	41/57	209-210
Petition re auction of a land	26.08.1886	40/21	211-214
Inquirer into sudden deaths	21.06.1889	41/63	215
Elected as chairman of the District Road Committee	27.07.1890	41/458	216-220
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Petition of Bulankulama Banda re. facilities and commission for him and his family	28.08.1891	41-67	225-227
Colonial Secretary's reply to the petition	11.09.1891	41/31	228-229
Actg R.M. Nuwaragam Palatha reports re salary and commission paid to RM	28.11.1891	41/31	230-231
Application for the presidentship of Nuwaragam Palatha with GA's comments	1891	41/67	232
Claim to be exempted from payment of irrigation	16.11.1892	4/261	233
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Writer meets RM near the abandoned Dágäba at Maha Ratmale	29.06.1910	41/507	239
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1. *Twentieth Century Impressions of Ceylon* Ed. A Wright p. 779

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GA, NP requests Asst. Agent to call upon Nuwaravăva family to select a fit persoon for the office of Chief Priest	07.08.1843	41/192	262
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GA informs CS the procedure adopted by the parties re selection of high priest	13.08.1844	Idem	265-266
H.E's approval for Pailigama Rewatha *Unnánse's* appointment	22.08.1844	41/88	267
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CS's letter canceling the act of appoiment of Pailigama Rewatha *Unnánse*	06.07.1853	41/192	272-273
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Copy of a letter sent to CS by GA, NP on granting a certificate to the chief priest (draft of the certificate also attached)	22.09.1864	Idem	345-349
AGA's report re. Petition of Amunukole Indaswarna Thero	09.02.1865	41/192	350-351
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A Constable informs the writer the incidents re the selection of a Chief Priest	18.11.1870	41/251	353-355
Reports from RMM East and South and High Priest of Kandy re. Election of a chief Priest and the writer's comments	17.12.1870	Idem	356-367
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ARM's submit their views on the candidates for Anunáyake	01.1871	41/283	371-372
Minutes of a meeting convened to Select Chief Priest	23.01.1870	41/192	373-376
Asst. Agent reports the election of two rivals Candidates to the office of Chief Priest along With his comments on the problem	30.01.1871	Idem	377-391

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AGA's interview with 3 RMM and Nuwaraväva Banda and papers re. election also attached	25.02.1871	Idem	397-400
GA informs that he received a petition from Owille Kumárihámy mentioning her rights to be the head of the Nuwaraväva Family	27.02.1871	Idem	400
Report from Headmen of Nuwarakaláviya to AA re. the selection of Chief Priest	27.02.1871	41/192	401-402
CS informs that H.E. was of the view that another meeting should be held in order to select Chief Priest	03.03.1871	41/125	403
Procedings of a meeting to select a candidate for the office of Chief Priest	20.02.1871	11/788	404-410
AA's report re election of Chief Priest	21.04.1871	Idem	411-412
Petition from Nuwaraväva Banda re election of Chief Priest	21.04.1871	Idem	413-415
Nuwaraväva Banda submits some notes on the election of a Chief priest	21.04.1871	Idem	416-417
Petition from RMM of Western and Southern divisions re Galagoda Banda's selection	22.04.1871	Idem	418-419
AA of opinion that Nuwaraväva Banda was the rightful heir to nominate chief priest	22.04.1871	Idem	420-421
GA, NP forwards AA's letter re appointment of Dambewatanna Rewata *Unnánse* as Chief Priest on Nuwaraväva Banda's nomination	26.04.1871	Idem	422
AA's reply to RMM's claim	08.05.1871	41/184	422A
Queen's Advocates report re. the selection Of a chief priest	12.05.1871	11/788 & 41/125	423-426

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GA,NP submits CS'a letter to AA, Anuradhapura with Owille Kumárihámy's petition addressed to H.E the Governor	26.04.1871	Ide	427
Petition from high priest and other priests of Malwatta Vihára Kandy requesting H.E. the Governor to make necessary arrangements to form a selection committee consisting of Malwatta priests	20.06.1871	41/192	428-431
Proceedings of the enquiry re Owille Kumary's petition to H.E. the Governor	28.06.1871	11/788	432-451
AA submits his report re inquiry to GA, NP	29.06.1871	41/192	452-469
AA informs GA, NP that Nuwaraväva Banda's claims have been submitted to the Government	08.07.1871	41/125	470
GA, NP forwards AA's reports to CS along with his observations re inquiry in to claims of the persons claiming to be Head of the Nuwaraväva Family	13,17.07.1871	Idem	471-481
AGA, informs GA re. the receipt of applications for the post of Chief Priest, and further requests to be informed if any decision on the subject has yet to be taken	20.09.1872	41/184	482
QA's view re. the right to nominate Chief Priest	25.01.1872	41/125	483-505
Informed GA, NP that certificate of recognition will not be issued to the priest nominated by Galagoda Banda	10.02.1872	41/192	506-507
Notes of a meeting re. selection of Hammalawe *Unnánse* as Chief Priest	10.05.1872	41/187	508-511
Owille Kumárihámry reports to the AGA that she nominated Hammalawe Ratnapala *Unnánse* as the chief priest at a meeting convened on 10 May 1872	12.05.1872	Idem	512-513
AA submits Owiile Kumarihamry's report to GA with his comments on the problems	27.05.1872	Idem	514

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Petition from Owiile Kumárihamry re. her right to be the head of the Nuwaraväva Family and requests to accept her nominee as the chief priest of Atamastána.	14.06.1872	41/192	515-519
Petition of Sooriyakumára Wannisinghe Nuwaraväva Loku Kumárihámy to HE the Governer ..... That no act of recognition to be ..... The right be established before a court of law.	01.07.1872	Idem	520-522
Report from the constable of Anuradhapura re. disputes over the collection of offerings.	01.07.1872	41/58	523
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Petition of Owille Kumárihámry against the Chief Priest re. keys of Ruwaveliseya	20.07.1872	Idem	530-531
Constable reports that Ratanapála *Unnánse* was nominated by Owiile Kumárihámry	20.07.1872	Idem	532
AGA submits constable's reports to GA, NP	20.07.1872	41/192	533
GA, requests CS to accept Owille Kumárihámry's authority to select Chief Priest	20.07.1872	Idem	534-536
CS's letter accompanying act under the Governor's hand and seal recognizing Hammalawe Ratanapála *Unnánse* as Chief Priest	07.08.1872	41/734	537
Act of recognition delivered to Chief Priest and on the same evening this event was celebrated around Ruwaveli Dagoba	27.08.1872	41/251	538
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Petition from tenants of Udamaluwa against Chief Priest	23.08.1880	41/734	540-543
Proceeding of an inquiry re. a petition made by tenants against the Chief Priest	29.04.1881	Idem	544-547
Petition from Padaviya people against Chief Priest	07.05.1881	41/192	548-552
RMM's request to cancel the appointment of Anunáyake	10.05.1881	41/734	553-560
Hammalawe *Unnánse* was appointed by Owiile Kumárihámy with the convent or 3 RM's.	04.07.1881	41/734	560A
Rights of the family with regard to the appointment of Anunáyake	12.09.1881	41/257	561-570

SRI LANKAN LAW REPORTS AS AN HISTORICAL SOURCE

John D. Rogers

The intention of this article is to provide an introduction to the use of the law reports of the British period as an historical source. Although the law reports are published, historians are less familiar with them than with many manuscript sources, especially the CO 54 series at the Public Record Office in London. The main exception to this scholarly neglect is Vijaya Samaraweera's article on Indian plantation labour in the nineteenth century, which uses the law reports to show how legislation governing the relationship between British planters and their Indian workers functioned in practice. [1]

Unlike historians, lawyers have long used the law reports as a tool in the pursuit of their profession. Their interest reflects the purpose of the reports, which is to publish Supreme Court decisions that clarify and interpret the law. The cases in the reports are used as legal precedents by lawyers, magistrates, and judges when making arguments or handing down decisions. Because of the importance of these cases to legal practitioners, the contents of many law reports have been summarized in digests and cited extensively in articles and books designed for practising lawyers. From the viewpoint of the historian, the most sophisticated and useful of these works is T. Nadaraja's history of the Sri Lankan legal system. [2] However, as will be explained below, the purposes of the historian and lawyer differ, and the historian who relies on the secondary legal literature without consulting the original reports risks missing much valuable evidence.

The large majority of cases reported in the law reports are judgments of the Supreme Court on appeals against decisions of the lower courts, that is, the district courts, the courts of request and the police courts. When the Colebrooke-Cameron Reforms of 1833 reconstituted the judicial system, the district courts were given original jurisdiction over

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1. Vijaya Samaraweera, 'Masters and Servants in Sri Lankan Plantations: Labour Laws and Labour Control in an Emergent Export Economy, ' *Indian Economic and Social History Review,* vol. 18 (1981), pp. 123-58. Steven Kemper also makes some use of the law reports in 'The Buddhist Monkhood, the Law, and the State in Colonial Sri Lanka,' *Comparative Studies in Society* and History, Vol.26 (1984).

2. T, Nadaraja, *The Legal System of Ceylon in its Historical Setting* (Leiden, 1972)

all civil and most criminal cases. The Supreme Court had original jurisdiction over serious criminal offences and appellate jurisdiction over all district court decisions. In 1843 a third tier of tribunals, police courts for criminal offences and courts of request for civil actions, was established to try less serious cases. The right of appeal from the third tier to the Supreme Court was in most periods subject to various restrictions, but was usually possible on points of law. When a fourth tier, the village tribunals, was established in the 1870s, appeals were allowed only to the government agent and to the Governor. As a result the law reports do not include cases from the village tribunals.

The first Sri Lankan law reports was published by Charles Marshall, a retired chief justice of the Supreme Court, in 1839. His volume covers the years 1833 to 1836, the period immediately following the Colebrooke- Cameron Reforms, and it provide a detailed account of legal practice in those years. Marshall expressed the hope that his work would form the model for a series of up-to-date volumes covering Supreme Court decisions, but no further reports were published until Alexander Murray's volume of 1848, which covered only 1846-47. It was only in the late 1850s that more reports began to appear. In the 1860s and 1870s an increasing number were published, many of them covering only specific courts or subjects. Some had government support, if only in the form of guaranteed purchases, but others were printed at the financial risk of the editor.

The haphazard coverage of the early law reports caused much inconvenience to judges and lawyers. These complaints were summarized by the Supreme Court, Judge Henry Thomson in 1866. 'The decrees of the Supreme Court, when unprinted, cannot afford instruction to the profession generally, and consequently that Court has had to decide the same points, often elementary points, over and over again because the District Judges, Magistrates, Advocates, and Proctors have had no proper reports to refer to, indeed. even the judges of the Supreme Court itself, having no index to its decisions, have elaborately adjudged many questions of law, in ignorance that those very questions had been as elaborately adjudicated upon years before by

their predecessors, or have unwittingly over-ruled those predecessors and even themselves. [3] As a result of such criticisms, in the 1870s the government for the first time gave financial

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3. Vijaya Samaraweera, 'Masters and Servants in Sri Lankan Plantations: Labour Laws and Labour Control in an Emergent Export Economy, ' *Indian Economic and Social History Review,* vol. 18 (1981), pp. 123-58. Steven Kemper also makes some use of the law reports in 'The Buddhist Monkhood, the Law, and the State in Colonial Sri Lanka,' *Comparative Studies in Society* and History, Vol.26 (1984).

support to the publication of a current and ongoing series of law reports. The first of these periodicals was the *Supreme Court Circular (1879).* It was followed by the *Supreme Court Reports* (1892) and finally the *New Law Reports* (1896), which has continued to appear since Independence.

When the *Supreme Court Circular* began publication, its first editor, Ponnambalam Ramanathan, a prominent lawyer and future Solicitor General, began a project to fill in the gaps left uncovered by earlier reports. Between 1878 and 1890 he published five volumes that covered 'missing' years between 1820 and 1877. As a result, for the first time there was an unbroken run of reports from 1820 to the present. [4] However, neither Ramanathan's reports nor the new legal series such as the *Supreme Court Circular* were comprehensive. Even the *New Law Reports* should be used in conjunction with its many competitors. Many cases were reported in only one publication, or not at all.

Appendix I to this article lists the law reports published during British rule. A few short-lived publications, especially from the twentieth century, may have escaped my notice. The appendix does not include legal guides that may refer to cases, but does include some works of this nature that report court cases in a format set apart from the main text. [5] The titles, 56 in all, are listed alphabetically by abbreviation that I have provided for the purpose of citing cases. [6] Choosing

abbreviations presented some difficulty since many volumes have been referred to in different ways in the legal literature, and in some instances the same abbreviations has been used for different reports.

Appendix 2 indicates the scope of each report. Entries are arranged by the date of the earliest case included. When a report includes only cases from a particular court or on a specific topic, this is indicated. The failure to include the parties to litigation, the absence of an index, and any other significant features of a particular report are also noted. The appendices, taken together, provide a guide to historical research.

Whatever the type of report, an important factor for the scholar to take into account is the time that elapsed between the year the case was heard and the publication of the report. The compilers consciously sought to leave out cases no longer relevant for lawyers and

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4. T, Nadaraja, *The Legal System of Ceylon in its Historical Setting* (Leiden, 1972)
5. Henry B. Thomson, *Institutes of the Laws of Ceylon*, Vol.1, (London, 1866), preface.
6. For accounts of Ramanathan's projects see the prefaces to his volumes, full details of which are given in Appendix 1.

judges, the more time that had passed, the more likely cases of importance to the historian will have been left out as obsolete. For example, since Ramanathan's reports for 1872, 1875, and 1876 were published in 1890, he omits cases based on law superseded by the legal codes of the 1880s. Appendix 2 shows both the years covered and date of publication of each law report.

More generally, it must be remembered that all the reports are selective, and include only cases thought to be of use to practising lawyers, that is, cases that illustrate a point of law. Similarly, the editors needed only to give enough detail concerning the case as was necessary to illustrate the legal point at issue. Fortunately from the viewpoint of the historian, some reports include more detail than is required for this purpose.

The collections of decisions the Supreme Court took in 1863 on appeals from the police courts may serve as an example that illustrates the different features of the reports, and the need for the researcher to consult all the appropriate volumes. There are three reports that cover the relevant cases; Beling, Crowther, and Ramanathan's third volume (see Appendix 2). Beling reports 60 cases, Crowther 49, and Ramanathan 24. But Beling alone is not sufficient, because Crowther reports 7 cases that are not in Beling. Moreover, Ramanathan includes 3 cases that are not in Beling or Crowther, marking a total of 70 decisions available. In addition, the three editors choose to include different details about some cases, so it is often useful to check an individual case in more than one volume.

The various digests which seek to index the cases printed in the law reports provide some help to the scholar, but they cannot be relied upon entirely, especially for the earlier periods. The best general work of this kind is S. Rajaratnam, *Digest of Cases Reported during the Years 1820 to 1914 (1914 to 1936)*, 2 vols. (Colombo, 1914, 1936). [7] Many digests leave out cases thought obsolete, and their subject headings are designed for the lawyer or Judge who needs information on the legal point at issue, which often differs from the subject of the case itself. For instance, a case of cattle theft that includes a revealing account of the crime and of attitudes towards it might well be indexed under the point of criminal procedure upon which the appeal was brought. The historian interested in cattle theft would probably not be able to find this case from the index of the volume in question, much less in a digest of many volumes. Sometimes the tedious turning of pages is the only effective option for the researcher.

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7. Vijaya Samaraweera, 'Masters and Servants in Sri Lankan Plantations: Labour Laws and Labour Control in an Emergent Export Economy, ' *Indian Economic and Social History Review,* vol. 18 (1981), pp. 123-58. Steven Kemper also makes some use of the law reports in 'The Buddhist Monkhood, the Law, and the State in Colonial Sri Lanka,' *Comparative Studies in Society* and History, Vol.26 (1984).

There are two main types of historical research for which the law reports can be used. First, the reports include essential information about the functioning of the legal system. There is a mine of evidence about how magistrates and judges administered the law, the ways in which people took advantage of their right to appeal, the length of delays in the legal system, and the willingness of the Supreme Court to interfere with the decisions of the lower courts. Similarly, the law reports offer an opportunity to trace the implementation of particular types of legislation. This is the purpose to which Samaraweera put the reports in his study of plantation labour, which is cited above.

The second type of historical research is to use the reports not only to study the functioning of the legal system and of specific ordinances, but to examine broader topics indirectly touched upon the descriptions of cases. Possibilities include commercial relations, changes in land tenure, and the status of women. The subject indexes, while helpful, cannot be relied upon for this sort of research, for the incidental detail of the case, often very revealing, was not indexed.

The main problem in using the report is that they are not comprehensive. The printed reports are a sample of cases decided on appeal. Editors had different criteria for choosing cases. Moreover, even if the reports included all the cases the Supreme Court heard, there would still be the problem of determining the representativeness of the cases for which an appeal was lodged. For these reasons, most research projects using the law reports will also have to make extensive reference to other evidence. It is in conjunction with other sources, both the relatively well mined documents available in London and the more extensive collection at the Department of National Archives, that the law reports can advance our knowledge of the history of modern Sri Lanka.

Appendix 1

Colonial Law Reports, arranged by Abbreviations used for References

ARC	*The Appeal Court Reports*. Edited by A.L. de Witt and G.E.G. Weeresinghe. 5 vols. (Colombo, 1907-09)
[Asirvatham]	See Leembruggen.
Austin	*Appeal Reports; being decisions of the Supreme Court, on appeals from the District Court of Kandy*. Edited by Nathaniel James Austin. (Colombo , 1862).
Balasingham	*The Reports of Cases decided by the Supreme Court.* Edited by K. Balasingham. 5 vols. (Colombo, 1904-11).
[Balasingham]	*See also* Notes.
[W.M. Beling]	*See* Morgan.
Beling	*Handy Book of Police Courts, being a digest of the orders of the Supreme* with *Court in Police Court Cases*. Edited by William Wright Beling (Vol. 1 Beven & Siebel John William Vanderstraaten). 2 vols. (Colombo, 1863-69). *Appeal Reports: being decisions of the Supreme Court on appeals from the_District Court of Kandy (in continuation of Austin's reports) commencing from 1859*. Edited by Edwin Beven and E.L. Siebel. (Kandy, 1877).
[Beven]	*See also*_Joseph and Beven : LM.
Brito	*The Mukkuva Law, or the rules of succession among the Mukkuvars of Ceylon.* Edited by C.Brito. (Colombo, 1876)
Browne	*Browne's Reports of cases decided in the Supreme and Other Courts of Ceylon.* Edited by K.G.Dodwell Browne. 3 vols. (Colombo, 1900-02)
CCL	*Current Case-Law*. Edited by Isaac Tambyah. 2 vols, (Colombo, 1906, 1907).
CLJ	*Ceylon Law Journal: embodying reports and notes of cases.* 9 vols, (Colombo, 1936-47)
CLR	*The Ceylon Law Reports, being reports of cases decided by the Supreme Court of Ceylon.* 3 vols. (Colombo, 1892-97).
CLRC	*The Current Law Reports of Ceylon*. Edited by F.A. Hayley. 2 vols. (Colombo, 1909,1910).
CLW	Ceylon Law Weekly. 38 vols, (Colombo, 1931-48).
[Conderlag]	*See* Morgan.

Cooray	*Criminal Appeal Reports of Ceylon.* Edited by A.B. Cooray (vol. 2 with E.A.L. Wijeyewardene) 2 vols. (Colombo, 1914, 1915).
Creasy	*Creasy's Ceylon Reports: judgments of the Supreme Court between 1859 and 1870.* Edited by Harry Creasy. (London, 1876).
Crowther	*Decisions of the Supreme Court Sitting in appeal.* Edited by Jonathan Crowther. (Colombo, 1869).
CNT	*Contributions to a Treatise on Namptissement: being reports of cases_decided by the Supreme Court and the District Court of Colombo.* Edited by Charles Amdrose Lorenz. (Colombo,1856).
CWR	*Ceylon Weekly Reporter.* 8vls. (Colombo, 1915-20).
De Kretser	*Matara Cases: being a collection of hitherto unpublished decisions by the Supreme Court of Ceylon on appeal from the District Court of Matara.* Edited by O.L. de Kretser, 2 vols. (Colombo, 1913-15).
[de Witt]	*See* ACR
Examiner	*Examiner Reports.* Issued by the *Ceylon Examiner.* (Colombo 1896).
Fernando	*Decisions of the Supreme Court on appeals from Police Courts and Courts of Request.* Edited by George Fernando. (Kandy, 1878)
Grenier	*The Appeal Reports from 1872 (1873, 1874), being reports of cases argued_and determined in the Supreme Court of Ceylon sitting in appeal.* Edited by Samuel Grenier. 3 vols. (Colombo, 1872-74).
Hayley	*Treatise on the Laws and Customs of the Sinhalese, including the portions_still surviving under the name Kandyan Law.* Edited by F.A. Hayley. (Colombo, 1923).
Jayawardene	*Court of Appeal Cases of Ceylon.* Edited by A.St.V. Jayawardene and others. 4 vols, (Colombo, 1912-16).
Joseph & Beven	*A Digest of the Decisions of the Supreme Court delivered in the year 1859.* Edited by A.O. Joseph and Edwin Beven. (Colombo, 1863).
JSC	*The Judgments of the Supreme Court of Judicature and the High Court of_Appeal of the Island of Ceylon delivered between 1820-1833.* Edited by Ponnambalan Ramanathan. (Colombo, 1877)
Koch	*Supreme Court Decisions in Appeal during 1899.* Edited by Gladwin Koch. (Colombo, 1900).
Leader	*The "Leader" Law Reports, being reports of current decisions of the Supreme Court of Ceylon.* 6 vols., (Colombo, 1907-12).

Leembruggen	*Supreme Court Decisions in Appeal during 1905 (1906, 1907).* Edited by G.H.P. Leembruggen (vol. 1), Leebruggen and R.N. Asirvatham (vol. 2), and Asirvatham (vol. 3). 3 vols. (Colombo, 1906 08).
LM	*The Legal Miscellany*. Periodical. Vol. 1 (Colombo, 1853-54) was probably edited by Richard Morgan. Vol. 2 (Colombo, 1864-67) was edited by E. Beven and A. Mills.
Lorenz	*The appeal reports: being reports of cases argued and determined in the Supreme Court of Ceylon sitting in appeal.* Edited by Charles Ambrose Lorenz. 3 vols., (Colombo, 1860-71).
[Lorenz]	*See also* CTN: Weinman.
Marshall	*Judgments and other decisions and directions of the Supreme Court of the Island of Ceylon, from the promulgation of the New Charter, 1st oct. 1833 to March 1836*. Edited by Sir Charles Marshall. (Paris, 1839).
[Mills]	See LM.
Morgan	*A Digest of the Decisions of the Supreme Court sitting at Colombo, since the promulgation of the charter of 1833.* Edited by Owen W.C. Morgan, W.M. Conderlag, William Michael Beling, and E.H. Prins. 2vols,. (Colombo, 1857-62).
[R.Morgan]	*See* LM.
Murray	*Cases heard and determined in the Supreme Court of the Island of Ceylon from December 1846 to August 1847*. Edited by Alexander Murray. (Colombo, 1848).
Mutukisna	*New Edition of the Thesawaleme, or Law and Customs of Jaffna; together with decisions of the various courts on the subject, 1801-60.* Edited by H.F. Mutukisna. (Colombo, 1862).
Nell	*Courts of Request: a practical treatise on their constitution and mode of_procedure, including a selection of circulars, correspondence and forms,_decisions of the Supreme Court on reviews and appeals...and an appendix.* Edited by Louis Nell. (Colombo, 1858).
[Nell]	*See also* Tolls.
NLR	*The New Law Reports*. 49 vols., (Colombo, 1896-1948).
Notes	*Notes of Cases decided by the Supreme Court of Ceylon*. Edited by K. Balasingham. 6 vols., (Colombo, 1914-18).
[Obeyesekere]	*See* Times.

Perera	*A Collection of Select Decisions of the Supreme Court on Points of Kandyan Law.* Edited by Joseph Martinus Perera. (Colombo, 1892).
[Prins]	*See* Morgan.
[Rajaratnam]	*See* RRCC
Ramanathan	*Reports of important cases heard and determined by the Supreme Court of Ceylon.* Edited by Ponnambalam Ramanathan. 5vols., (Colombo, 1878-90).
[Ramanathan]	*See also* JSC.
Recorder	*The Ceylon Law Recorder.* 22vols., (Colombo, 1919-48).
RRC	*Revised reports of Ceylon: being a re-publication of all such cases of the Supreme Court of the Island of Ceylon (reported from the year 1820) as are still of practical utilty.* Edited by Isaac Tambyah. (Tellippalai, 1905).
RRCC	*Revised Reports of Ceylon Cases.* Edited by S. Rajarathnam. (Tellippalai, 1922).
Sawers	*Digest of Kandyan Law, with an appendix containing orders of the Supreme Court in Cases decided in Appeal bearing on the Kandyan Law from 1851 to 1860.* Edited by Simon Sawers. (Colombo, 1860; reprint in 1900).
SCC	*Supreme Court Circular.* 9 vols., (Colombo, 1879-92).
SCR	*Supreme Court Reports.* 3vols., (Colombo, 1892-96)
Siebel	*Liability of estate owners and of superintendents: being a collections of important decisions on the subject, by the Supreme Court and District Court of Kandy.* Edited by E.L. Siebel. (Colombo, 1877).
[Siebel]	*See also* Beven & Siebel.
Sinnacutty	*The Law of maintenance: being a collection of cases on the subject decided in appeal under the Vagrant Ordinance.* Edited by W. Sinnacutty. (Jaffna, 1878).
Solomons	*Decisions of the Supreme Court on appeals from Courts of Request, 1861-67.* Edited by F.C. Solomons. (Kandy, 1871).
Tambyah	*Tambyah's Reports, being reports of cases decided by the Supreme Court of the Island in appeal.* Edited by Isaac Tambyah. Title varies; most volumes were printed as part of the periodical *Ceylon Law Reviwe.* 7vols., (Colombo, 1899-1912).
[Tambyah]	*See also* CCL.
Times	*The Times of Ceylon Law Reports.* Edited by J.E.M. Obeyesekere. 19 vols., (Colmbo, 1922-42).

[Tiruvilangam]	*See also* See Digest.
Tolls	Toll Cases. Edited by Louis Nell. (Cotta, 1858).
Vanderstraaten	*The decisions of the Supreme Court sitting in appeal, from 1869 to 1871.* Edited by John William Vanderstraaten. (Colombo, 1874).
[Vanderstraaten]	*See also* Beling.
Weerekoon	*The Supreme Court Decisions in Appeal.* Edited by E.B. Weerekoon. 7vols., (Colombo, 1908-12).
[Weeresinghe]	See ACR.
Weinman	*Contributions to a treatise on Namptissement; being reports of cases decided by the Supreme Court of Ceylon.* Edited by James R. Weinman, based on the earlier edition (CTN) by Charles Ambrose Lorenz. (Colombo, 1881).
Wendt	*Reports of cases argued and determined in the Supreme Court of Ceylon, sitting in appeal during the years 1882-1883.* Edited by Henry Lorenz Wendt. (Colombo, 1884).
Wijeyewardene	*The Supreme Court Decisions in Appeal.* Edited by E.A.L. Wijeyewardene. (Colombo, 1913).
[Wijeyewardene]	*See also* Cooray.

Appendix 2
Scope of Colonial Law Reports

Reports	Years Covered	Date Published	Coverage
Mutukisna	1801-60	1862	Customary law of Jaffna
Hayley	1818-29	1923	Kandyan law
JSC	1820-33	1877	general
2 LM 21,1843-48,	1820-67	1864-67	a selection of cases from 1820- and 1860-67
RRC printed Ramanathan; no	1820-99	1905	all cases are drawn from earlier reports, mainly Morgan and criminal cases; arranged by subject.
CTN	1830-55	1856	namptissement (law of provisional payment); includes cases decided by Colombo district court
Weinman	1830-81	1881	namptissment (law of provisional payment); revised edition of CTN; omits cases decided by Colombo district court; includes 13 cases decided after 1856.
Marshall	1833-36	1839	arranged by subject; names of parties not included
1 Morgan	1833-42	1857	general; names of parties not included from
		1833-37	
Austin	1833-59	1862	Kandy district court; very few criminal cases; arranged by subject; names of parties not included
Perera	1833-89	1892	Kandyan law; all cases are drawn from earlier printed reports; arranged by subject
Tolls	?	1858	toll cases

2 Morgan	1843-52	1862	general; more cases than 1 Ramanathan, but with less detail; no index
1 Ramanathan	1843-55	1884	general
Brito	1844-71	1876	law of Mukkuvars of Batticaloa; 8 cases, including decisions of Batticaloa district court
Nell	1845-55	1858	court of request; names of parties not Included
Murray	1846-47	1848	general; no index
Sinnacutty	1846-76	1878	law of maintenance; names of parties not Included
1 Beling	1846-62	1863	police courts; names of parties not included
RRRC	1847-70	1922	selected cases from Creasy, Joseph & Beven, Murray, and Solomons
Sawers	1851-60	1860	Kandyan law
1 LM	1852-53	1853-54	general; names of parties not included; some sections have no index
1 Lorenz	1856-57	1860	general
2 Lorenz	1858	1866	general
3 Lorenz	1859	1871	general
Sieble	1858-77	1877	Liability of estate superintendents; 20 cases, all but one from Kandy District Court; considerable detail; no index
Creasy	1859-70	1876	civil; name of parties not included; arrange by subject; no index
Joseph & Beven	1859	1863	general
Beven & Siebel	1859-67	1877	Kandy district court; most cases are from 1860-62; no criminal cases; no index
2 Ramanathan	1860-62	1880	general
Solomons	1861-67	1871	courts of request; 37 cases; most names of parties not included

Crowther	1863	1869	general; names of parties not included
3 Ramanathan	1863-68	1881	general
2 Beling	1863-68	1869	police court; names of parties not included
Fernando	1865-76	1878	police courts and courts of request; most cases from Kandy and Panvila; most cases from 1875-76
Vanderstraaten	1869-71	1874	general; names of parties not included
1 Genier	1872	1872	police courts; names of parties not included
4 Ramanathan	1872/5/6	1890	general
2 Grenier	1873	1874	general; names of parties not included
3 Grenier	1874	1874	general; names of parties not included
5 Ramanathan	1877	1878	general; names of parties not included
SCC	1878-91	1879-92	general
Wendt	1882-83	1884	general; includes cases not in SCC
Tambyah	1886-1910	1899-1910	general; includes many 19th century cases
CLR	1887-97	1892-97	general; includes cases not reported elsewhere
De Kretser	1890-1914	1913-15	Matara district court; no criminal cases
SCR	1892-94	1892-94	general
Examiner	1896-98	1898	general
NLR	1896-48	1895-1848	general; includes a few cases from 1872-94, some previously unpublished; continues after 1948
ACR	1898-1909	1907-09	general
Koch	1899	1900	general; no index
Browne	1900-02	1900-02	general; includes a few cases from before 1900

Balasingham	1903-10	1904-11	general; includes a cases from before 1903
CCL	1904-06	1906-07	for 1904-05 includes a digest of reports published elsewhere; for 1905-06 includes brief summaries of previously unpublished cases; no index for 1906
Leembruggen	1905-07	1906-08	general
Leader	1907-12	1907-12	general; no index
Weerekoon	1907-12	1908-12	general; included a few cases from before 1907
CLRC	1908-10	1909-10	general
Jayewardene	1911-16	1912-19	general
Notes	1911-16	1914-18	general; some cases have little detail
Wijeyewardene	1913	1913	general
Cooray	1913-15	1914-15	criminal cases
CWR	1915-20	1915-20	general
Recorder	1919-47	1919-48	general
Times	1922-42	1922-42	general
CLW	1931-48	1931-48	general; continues past 1948
CLJ	1936-46	196-47	general; vols. 7-9 have no index

Note by the editor: The Law Library at Hulftsdorp, as well as, the library of the Supreme Court has a comprehensive set of Law Reports.

SOME OBSERVATIONS ON THE COLOMBO PLAKKAATEN AS PRINTED EPHEMERA

G.Shaw

One of the most important outcomes of recent heightened activity in the field of retrospective bibliographical control has been that early printed ephemera is for the first time beginning to receive proper documentation. For example, it has been estimated that the first phase of the Eighteenth- Century Short Title Catalogue will have listed over 100,000 such item which have 'until now, lain undisturbed in uncatalogued collections in the great research libraries and in the archives of record offices'[1]. What is true in general is true of early South Asian ephemera in particular – surviving almost by chance, inadequately catalogued (if at all) and almost impossible to locate.

The very first items printed in South Asia were ephemera: single-sheets printed with the *conclusoes* or theses of logic and philosophy to be defended in public debate by students of the Jesuit College of St. Paul at Goa on 19th October 1556 and ordered to be posted up on church doors beforehand to advertise the event. Unfortunately no copies of these can be traced today but work on compiling Stage 1 of the South Asia and Burma Retrospective Bibliography (SABREB), covering all works printed in the subcontinent from the very first press at Goa up to 1800, has thrown up some interesting pieces of ephemera. The earliest surviving examples known are religious propaganda. They are the Danish and German editions of the 1726 and 1727 annual reports respectively of the Tranquebar mission in South India (which as we shall see below had close links with the establishment of the Dutch press at Colombo)[2]. These were printed at Tranquebar in October of these years and were intended for distribution primarily in Europe to encourage support and fund-raising in particular. Inevitably much of the early ephemera which

has survived from South Asia is official printing by successive colonial powers. It is into this category that the Colombo *plakkaaten* fall but it also includes the humbler blank-forms spawned by government and the law which, as regular 'jobbing-work', provided

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1. R.C. Alston, 'The eighteenth-century non-book: observations on printed ephemera', in G. Barber & B. Fabian *ed., The book and the book trade in eighteenth-century Europe* (Hamburg, 1981), p. 351.
2. Preserved in the Kongelige Bibliothek, Copenhagen (2-247 4⁰)

the staple income of many early presses in the region. Extant examples of these are a powers of attorney printed at Vepery, Madras, about 1764[3] and land-revenue returns in Persian and Bengali printed at the English East India Company's press at Calcutta in the early 1780's [4]. No ephemeral material of a political or controversial nature from 18th – century South Asia has yet surfaced. This is perhaps not surprising since the authorities tended to monitor closely the output of any press established within their jurisdiction (viz. the conflict between the Tranquebar missionaries and the local Danish administration or between James Hicky, the first newspaper printer in Calcutta, and the Governor-General Warren Hastings). From the commercial presses established in the British Indian settlements at the end of the 18th century a variety of notices and advertisements have survived. For instance, the earliest known item printed at Bombay in 1772 is a medical broadsheet Diogo's drops advertising a patent cure for cholera [5]. Other specimens traced include a commodity list (a handbill of goods imported for sale from China printed by Hicky at Calcutta about 1780 [6]), a sheet calendar for hanging or pasting up in offices (the Indian cabinet almanac for 1790 [7] also printed at Calcutta), type-specimen sheets (advertising newly-cast fonts of Gujarati [8] and Malayalam [9] characters available at the Bombay Courier Press in 1796 and 1799), and a book-prospectus for William Baillie's never-to-appear dictionary of military science sent with a petition to the Court of Directors of the East India Company in London in 1789 [10]. No literary ephemera has been found in the form of the ballads and political slip-songs characteristic of 18th-century Europe but it is not inconceivable that such did circulate on a limited scale since poetry, protest and satire are frequently present in the pages of surviving runs of South Asian newspapers of the period.

From the isolated examples cited above, it will be clear that in the context of early South Asian printed ephemera there is nothing remotely to compare in quantity or importance

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3. To be found in the Franckesche Stiftungen, Halle.
4. In the collection of the Department of Oriental Manuscripts and Printed Books, British Library, London (Ms. Add. 5660F).
5. Preserved in the India Office Library London (V 23500).
6. To be found in the Library of the School of Oriental and Africas Studies, University of London.
7. In the collection of the Deutsche Staatsbibliothek, Berlin.
8. Preserved in the Department of Manuscripts, British Library, London (Ms. Add. 26605).
9. To be found in the St. Bride Printing Library, London.
10. In the collection of the India Office Records, London (E/1/83).

with the collection of *plakkaaten* of the Dutch administration in Sri Lanka preserved in the Department of National Archives, Colombo. They constitute by far the largest single surviving cache of such ephemera and are equally remarkable as the first large-scale manifestation of printing by a colonial power in the subcontinent. The printing-press in South Asia, hitherto the monopoly of Catholic and Protestant missionaries for their evangelical purposes, is at Colombo seen for the first time in its role as an effective instrument for the speedy promulgation of law and the widespread imposition of government will. The value of the *palakkaaten* as source material for the economic and social history of Sri Lanka has begun to be recognized as also their intrinsic linguistic interest for the development of Sinhalese and Tamil [12].

The appendix to this article lists 190 printed specimens out of the total of some 400 *plakkaaten* in the Department of National Archives, the remainder being in manuscript i.e. mostly but not entirely predating the establishment of the Colombo press in 1737 [13]. This large and impressive collection, however, is in itself not complete, even for the period of printed *plakkaaten*. In the Public Record Office, London, is preserved a list of supposedly all the regulations issued by the Dutch Governors of Sri Lanka from 1650 onwards arranged under broad subject-headings ('Cinnamon', 'Cinghalese', 'Lands', Slaves', 'Strangers', 'Taverns & Arrack Shops', etc.) [14]. Although in fact by no means exhaustive, this list does mention *plakkaaten* of which no printed specimen has yet been traced (e.g. 2nd Nov. 1741 banning the clipping of coins; 25th Oct. 1754 forbidding the destruction of cinnamon trees; 15th Sept. 1760 prohibiting Hindus and Moors from living in concubinage with Christian women; 30th Nov.1799 outlawing the importing of European woolen or silken manufactures, etc., etc.). Although no formal regulation to the effect has been seen by this writer, it seems reasonable to assume that each and every *plakkaaten* issued after 1737 was without exception circulated in printed rather than manuscript form. A complete inventory of all Sri Lankan *plakkaaten*, both manuscript and

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11. See for instance D.A. Koteeawala, 'Value of the proclamations (placaaten) issued by the Dutch Governors of Ceylon...', *in Historical essays: primary printed and manuscript sources for sixteenth to nineteenth century available in Sri Lanka* (Colombo, 1976), p. 44-51.
12. See for instance S.L. Kekulawala, 'Some linguistic features of the eighteenth century Sinhala placaaten of the Dutch', *in Historical essays*..., p. 28-43.
13. See M.W. Jurriaanse, *Catalogue of the archives of the Dutch central government of coastal Ceylon 1640-1796* (Colombo, 1943), p.127-129 C.O. 54/124
14. C.O. 54/124

printed, that were issued is a great desideratum and it is gratifying to learn that research in that direction is currently being undertaken[15]. The Colombo collection is all the more remarkable since there does not appear to be any sizeable number of printed *plakkaaten* available in any library or archive in the Netherlands. The most likely such location, the archives of the Dutch East India Company in the Algemeen Rijksarchef, The Hague, for instance, have so far yielded only a few examples and those in Dutch[16]. It may be noted here that a solitary example is to be found in the India office library, London. This is the Sinhalese text of the *plakkaat* of 18th December 1795 concerning the value of the Dutch East India Company's *kreditbriefen*, guarded in at the back of a manuscript on Sinhalese script and grammar prepared for the orientalist John Jeyden at the beginning of the 19th century[17].No doubt it was felt by the Dutch authorities at Colombo that there was no need for the original printed *plakkaaten*, particularly the Sinhalese and Tamil translations, to be transmitted to the Netherlands as their contents would be reported in other manuscript records. This contrasts with the practice of the English text of all regulations passed in Bengal every year should be transmitted to the court of Directors in London, five copies being sent in each of two ships as a safety measure to ensure their arrival[18].

Of the 190 *plakkaaten* preserved in Colombo, almost one-half are printed in Dutch and roughly one-quarter each in Sinhalese and Tamil. An analysis by decade produces the following:

	1730's	1740's	1750's	1760's	1770's	1780's	1790's	Undated	Totals
Dutch	1	35	14	14	12	5	8	1	90
Sinhalese	4	18	13	-	2	3	8	4	52
Tamil	-	19	11	2	1	-	8	3	44
Bi-or tri-lingual	-	1	1	-	-	-	-	1	3
Portuguese	-	1	-	-	-	-	-	-	1

15. See L. Hovy & C. Streefkerk, *'Zoo is't dat wij daarin nader willende voorzien' Prolegomena voor een ceylonees plakkaatboek* (Amsterdam, 1985).
16. For instance from 14th and 30th September 1743. Information kindly supplied by L. Hovy.
17. I.O. Ms. 2874.
18. See G. Shaw, *Printing in Calcutta to 1800* (London, 1981), p. 164.

It can be seen here that nearly sixty percent survive from just two decades, the 1740's and 50's. Whether this is pure chance or whether it reflects to some degree, however small, the energetic governorships of Bruyninck and van Gollenesse is a moot point. The highest numbers of printed *plakkaaten* surviving from a single year are twenty from 1745, nineteen from 1757,sixteen from 1744 and fifteen from 1743. The near-simultaneous translation and circulation of all proclamations into the local vernaculars, Sinhalese and Tamil, so that no section of the subject population could plead ignorance of the law, was another innovation by the Dutch in Sri Lanka and imitated by the British later in India. Thus, for Bengal we find all regulations issued in Persian, Hindustani and Bengali from 1793, for Bombay in Gujarati and Marathi from 1799, and for Madras in Tamil and Telugu from 1802.

The earliest printed *plakkaat* known in Sinhalese, as in Dutch, concerns pepper-cultivation and is dated 5th April 1737. K.S. Diehl[19] rightly pointed out that these two *plakkaat* issues are the earliest extant publications of the Colombo press, predating by a month or so the first book proper printed there, the *singaleesch gebeede-boek*. But there is evidence that the very first item to leave the Colombo press was a religious rather than a secular product, appropriately so as the raison d'etre of its establishment had been the Governor Baron van Imhoff's desire to promote Christian missionary activity[20].this was in fact a single-sheet printed on one side only with the lord's prayer translated into Sinhalese (*Oratio Dominica in lingua cingalaea = Ape svamiduruvanan vana yesus kristus vahansege yajnavya...)*. A copy was enclosed in a letter dated 29th December 1738 from Nicolaus Dal and the other missionaries at Tranquebar to the ost-Indische Anstalt, the mission's headquarters at Galle near Leipzig: The first specimen of the Sinhalese press in Colombo, namely the Lord's Prayer printed on a single-sheet, we are sending herewith. A copy of the first edited book will follow shortly[21].No doubt this very copy still

survives in the Franckesche stiftungen at Halle but this has not yet been verified. The Sinhalese text of the Lord's Prayer was then copied onto a copper-plate by an engraver so that it could be reproduced in the next volume of the Indian mission's reports[22]. The engraving is well done so that the Sinhalese types of Gabriel Schade are instantly recognisable.

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19. ' The Dutch press in Ceylon, 1734-96', *The Library Quarterly* 42 (1972), p. 329-342
20. *Memoir left by Gustaaf Willem Baron Van Imhoff...1740* (Colombo, 1911), p.59-60
21. *Acht und vierzigste Continuation des Berichts der Konigl. Danischen Missionarien in Ost-Indien* (Halle, 1741), p. 1506. My translation from the German (as are all other quotations from these reports).
22. *Ibid.,* facing p. 1506.

The important and perhaps crucial part played by the Tranquebar mission in making the Colombo press fully operational has not yet been recognised, although it grew out of the close contacts which the German Lutherans maintained with their Protestant co-workers in Sri Lanka. The establishment of the Dutch press, including its full repertoire of oriental types, has been attributed solely to the efforts of Gabriel Schade, baas of the Colombo arsenal, working under the direction of the clergy, Willem Konyn and Johan Wetzelius[23]. However, from the reports at the Tranquebar missionaries we learn that the Dutch Governor [I.e.Baron van Imhoff] at Colombo on the island of Ceyloninforms the missionary gentlemen that he is endeavoring to help spread the word of God on the island; whereupon at his request a young man is being sent from Tranquebar for the purpose of erecting a printing-press' [24]. In fact he was sent on 6th September 1737[25]. Exactly a year later to the day the missionaries recorded the death of their Danish type-founder, Peter Michelson, at Tranquebar but hoping that his work would be continued by his son (Christian name not given) who was at present 'employed in setting up a Sinhalese type-foundry at Colombo[26]. From this new evidence we can conclude that early in 1737 Imhoff was anxious that someone with a printing background should be brought in to set up the new press on professional lines, building on the ground-work laid by Schade (a skilled craftsman but nonetheless in printing terms an amateur), in particular his preparation of a Sinhalese font. To this end Imhoff turned to the nearest available and sympathetic source of printing expertise, namely the Tranquebar mission which had by 1737 already had almost a quarter of a century's experience of printing with oriental types in tropical conditions (having begun with Tamil in 1713).

Unlike the case of Dutch and Sinhalese mentioned above, there is no printed Tamil plakkaat from the very first year of operation of the Colombo press for the simple reason that no Tamil font had yet been prepared i.e. the Tamil version of the pepper *plakkaat* for 5th April 1737 would have been distributed in manuscript form We can almost certainly attribute to Michelsen junior the preparation of the first Colombo Tamil types. He was an experienced type-founder, having trained under his father at Tranquebar where he would have gained close working knowledge of the problems presented by the Tamil script. It is

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23. See, for instance, H. de Silva, *Printing and publishing in Ceylon* (Colombo, 1972), p. 12-13.
24. *Sechs und vierzigste Continuation des Berichts der Konigl. Danischen Missionarien in Ost-Indien* (Halle, 1740), foreword, section VIII.
25. *Ibid.*, p. 1216.
26. *Acht und vierzigste Continuation*..., p. 1446.

quite remarkable to observe that the Colombo Tamil types, ornate and florid, are totally distinct from their Tranquebar equivalents which appear plain and staid by comparison. In this respect the Colombo Tamil font, like its Sinhalese counterpart, presents almost a 'mirror-image' of the scribal hands seen in contemporary manuscripts from Sri Lanka. The work of preparing the first Tamil types must have been completed by the spring of 1739. The earliest Tamil item known to have come off the press at

Colombo repeats the Sinhalese model. It is a single-sheet printed on one side only with the Lord's Prayer (*Het Gebed Onses Heeren in de Tamulsche tale...Kattarutaiya vanakkam*) dated 28th

April1739. Two copies are known to survive, one in the koninklijke Bibliotheek, the Hague, and the other in the Franckesche Stiftungen, Halle[27]. This single-sheet was shortly followed by the first Tamil book proper, the *Mallebaars catechismus en gebede-boek*, also in 1739. To ascertain exactly how long Michelson junior remained at Colombo will probably need recourse to the archives of the Dutch East India Company in The Hague. In the meantime it may not be unreasonable to suppose that he stayed until the summer or end of 1740 i.e. not returning to Tranquebar until the second printing-press mentioned by the retiring Governor van Imhoff in his memoir of March that Year as 'being fitted up'[28] had been made fully operational. According to K.S. Diehl, the earliest surviving Tamil printed *plakkaat* is a fragment dated 'sometime in 1741'[29], but otherwise the first complete example is that of the proclamation on arrack of 6th August 1742. This also happens to be the earliest printed *plakkaat* for which all three language editions are extant. There are just a very few attractive *plakkaaten* printed with parallel texts in more than one language i.e. two examples in Dutch and Tamil dated 14th April 1745 and 15th November 1750 (none found in Dutch and Sinhalese or Sinhalese and Tamil), and one trilingual issue undated but signed by van de Graaff as Governor and therefore printed between 1785 and 1794. These are far enough apart in date to suppose that other short proclamations were issued in the same way throughout the life of the Colombo press.

The list of printed *plakkaaten* appended includes several Dutch examples (as well as the lone Portuguese specimen) which have Batavia rather than Colombo as the place of issue. Obviously, proclamations made by the Governor-General at Batavia had equal validity,

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27. See T.C.L. Wijnmalen, 'De drukpers te Colombo. Proeve eener Singaleesche bibliographie', *Bibliographische Adversaria* 4 (1878-82), p.161-183.

28. *Memoir left by Gustaaf...*, p.59.

29. 'The Dutch press in Ceylon, 1734-96', p.333.

if relevant, in Sri Lanka under its subordinate Governor. In printing terms, there are two possibilities. It could be that extra copies of the Dutch proclamation in appropriate cases were printed at Batavia and then shipped to Colombo where they would be distributed together with the Sinhalese and Tamil translations prepared and printed locally. It is also plausible that in such cases the Dutch texts were also printed at Colombo but leaving Batavia as the place of issue in the colophon. The appearance of the Dutch types in those surviving copies examined suggests that the latter possibility is the more likely.

It is curious to note that no printer's name ever appeared on any *plakkaten*, although we can assume that they were seen through the press by the same succession of printers (Arnhardt, Bruwaart and Dornheim) who were responsible for the output of Christian works and school textbook. No doubt the two types of printing work required, the religious and the secular, proceeded side by side, in a similar fashion to the situation of the Vepery mission, Madras, in the early 1760's. There the East India company's press and its French printer were initially placed under the superintendence, as was the Dutch press at Colombo, of Protestant missionaries (Fabricius and Breithaupt) and produced an alternation of Company and Christian items. The fortunately large number of printed *plakkaaten* which have survived extend the chronology of the Colombo press by some four years. The last book proper printed was a Dutch edition of *The Wandering Jew* in 1791 but *plakkaaten* were still being issued as late as December 1795, almost to the brink of the arrival of the English on the island. Without the *plakkaaten* the output of the Colombo press is predictably narrow in range, seeking only to meet the evangelical and educational requirements of the Dutch Reformed church [30]. But through the *plakkaaten* the printing-press has touched almost every aspect of contemporary life. Religious affairs still inevitably figure with proclamations against strong drink, banning the opening of shops on Sundays and holidays and curtailing the profession of the Catholic faith. But foremost are matter of economic policy and trade. There are whole series of proclamations concerned with the development of cash-crops (pepper, cinnamon, cardamom, etc.) and to safeguard the Company's monopoly in that area, while other forbid the import of goods from the 'Madura coast' of India or seek to regulate the value of currency. There are *plakkaaten* dealing with various legal processes (the ownership or sale of land or slaves) and the administration of justice. Military and security considerations are also treated in proclamations banning, for instance, the unauthorized sale of fire-arms or ammunition and restricting the entry of foreigners. Finally there are *plakkaaten* concerning foreign affairs such as that giving the text of the peace treaty signed by the Governor Willem

30. See J. van Goor, Jan Kompenie as schoolmaster (Groningen, 1978), p. 83-86.

Falck with the King of Kandy, Kirti Sri Raja Sinhae, in 1766 or that announcing the outbreak of hostilities with the French in 1793.

It may be of interest to point out that the tradition of issuing *plakkaten* did not end with the English arrival in February 1796. Although nothing has yet been traced of the use a printing-press at Colombo during the period Sri Lanka was administered by the Governor in Council at Madras (i.e. up to October 1798), thereafter single-sheet proclamations in English were regularly issued,

very much in the style of their Dutch predecessors. The fact that these document are entitled 'proclamation' or 'advertisement' (rather than 'regulation' which is the tern used exclusively from November 1805 onwards) seems to echo the Dutch words 'plakkaat' and 'advertentie'. The typical colophon 'Given at the Castle of Colombo... By order of the Governor' is in clear imitation of 'Gegeven in it Casteel Colombo... Ter ordonnantie van den Gouverneur'. The earliest English proclamation is dated 13th November 1798 and covers a number of topics such as banning the unauthorised import of salt, ammunition and firearms and imposing export duties on arrack, etc. The text of this (as of two other proclamations from 1798, thirteen from 1799 and so on) is to be found in a printed list of legislative acts of the Government of Ceylon covering the period 1798 to 1819 preserved in the Public Record Office, London [31]. It is not known whether these early English proclamations were also translated and printed in Sinhalese and Tamil and certainly no trace of any such vernacular texts has yet been found. It was only in regulation no. 11 of 1813 'for reducing into one uniform code all regulations which may hereafter be enacted for the internal government of His Majesty's dominions in the island of Ceylon' [32] that such translations were required to be printed. Just one original edition of an 18th-century English proclamation has come to light, that for 23rd September 1799, comprising eight pages in folio and concerning the administration of justice. It is preserved in the Goldsmiths' Library of Economic Literature within the Library of the University of London[33]. It is pasted by its back page onto a leaf of an English translation of Homer's *The Iliad* which was used as a scrapbook in the early 19th century by the first Earl of Sheffield.

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31. T. 64/58.
32. A collection of the legislative acts of His Majesty's Government of Ceylon... (Colombo, 1821), p. 15-17.
33. This exciting discovery was made recently by Dr. N

A CHECKLIST OF PRINTED PLAKKAATEN IN THE DEPARTMENT OF NATTONAL ARCHIVES, COLOMBO

Year	Date	Language	File no. (Item no)	Remarks
1737	5 Apr.	Dutch	1/2447 (14)	Has Matara as place of issue.
		Sinh.	1/2440 (46)	Damaged.
1738	21 May	Sinh.	1/2440 (48)	
	28 Nov,	Sinh.	1/2440 (51-52)	2 copies, one damaged,
1740	2 Feb,	Sinh.	1/2440 (63)	
	3 Feb.	Dutch	1/2447 (19)	
	1 Mar.	Dutch	1/2441 (45)	
	4 Apr.	Dutch	1/2441 (43)	Damaged.
	31 May	Dutch	1/2440 (64-65)	2 copies, one damaged.
1741	1 Apr.	Dutch	1/2441 (1-2)	2 copies.
1742	6 Aug	Dutch	1/2441 (4)	Damaged.
		Sinh.	?	Listed by Diehl.
		Tamil	1/2441 (5)	Damaged.
	22 Sep.	Tamil	1/2441 (6)	
1743	… Jan	Tamil	1/2441 (7)	Damaged. Day left blank to be inserted in ms.
	29 June	Dutch	1/2441 (8-9)	2 different issues 1) signed in ms. By Governor & Secretary 2) with their signatures printed instead. Both damaged.
	12 July	Dutch	1/2441 (10)	
		Sinh.	1/2441 (11)	
		Tamil	1/2441 (12)	

	14 Sep.	Dutch	1/2441 (13)	
		Sinh.	1/2441 (14)	
		Tamil	1/2441 (15)	
	30 Sep	Dutch	1/2441 (16)	
	30 Nov	Dutch	1/2441 (19-20)	2 copies, one trimmed.
		Tamil	1/2441 (21)	
	11 Dec.	Sinh.	1/2441 (22)	
	16 Dec.	Dutch	1/2441 (23-24)	2 issues (as described above).
		Sinh.	1/2441 (25)	
		Tamil	1/2441 (26)	
1744	31 Jan.	Dutch	1/2441 (29)	
		Sinh.	1/2441 (30)	
		Tamil	1/2441 (31)	
	3 Feb	Dutch	1/2441 (32)	Damaged.
		Tamil	1/2441 (33)	
	28 Mar	Dutch	1/2441 (34)	
		Sinh.	1/2441 (35)	
	3 Aug.	Dutch	1/2441 (36-37)	Has Batavia as place of issue. 2 copies.
		Sinh.	1/2441 (38)	
		Port.	1/2441 (41)	Has Batavia as place of issue.
	15 Oct	Dutch	1/2441 (39)	
		Sinh.	1/2441 (40)	
	2 Nov.	Tamil	1/2441 (42)	
	3 Dec	Dutch	1/2441 (46)	
	10 Dec.	Dutch	1/2441 (47)	Dated in ms, only.
1745	13 Jan.	Dutch	1/2442 (1-2)	2 copies.
		Sinh.	1/2442 (3)	
	27 Jan.	Dutch	1/2442 (4)	
		Sinh.	1/2442(5)	
	25 Feb	Dutch	1/2442 (10-11)	2 issues (as described above).
		Sinh.	1/2442 (12)	
		Tamil	1/2442(13)	

	10 Apr.	Dutch	1/2442 (15-16)	2 issues (as described above).
		Sinh.	1/2442 (17)	
	14 Apr.	Dutch & Tamil	1/2442 (17a)	i.e. parallel Dutch & Tamil texts in 1 issue.
	30 Sep.	Dutch	1/2442 (21-22)	2 issues (as described above). Concerns pepper-cultivation.
	30 Sep.	Dutch	1/2442 (23-24)	2 copies. Concerns cinnamon-tree planting.
		Sinh.	1/2442 (25-26)	Ditto.
		Tamil	1/2442 (27-28)	Ditto.
	12 Oct.	Tamil	1/2442 (29)	
	22 Oct.	Dutch	1/2442 (30)	
		Sinh.	1/2442 (48)	
	13 Nov.	Sinh.	1/2442 (31)	
	15 Nov.	Dutch	1/2442 (32)	
		Tamil	1/2442 (33)	
1746	15 Sep.	Dutch	1/2442 (38)	
		Tamil	1/2442 (39)	
1747	11 Feb.	Dutch	1/2442 (42)	Concerns Pepper-cultivation.
	11 Feb.	Dutch	1/2442 (43)	Concerns appointment of Brocks as pepper-cultivation overseer.
	31 July	Dutch	1/2442 (4a)	
		Tamil	1/2442 (47)	
1748	3 Dec.	Dutch	1/2442 (50)	
1749	20 June	Dutch	1/2442 (51-52)	2 issues (a longer & a shorter text).
		Sinh.	1/2442 (53-54)	Ditto
		Tamil	1/2442 (55)	Longer text issue only extant.

	25 June	Tamil	1/2442 (56)	
	2 Aug.	Dutch	1/2442 (57)	
		Sinh.	1/2442 (58-59)	2 copies.
		Tamil	1/2442 (60-61)	2 copies.
1750	15 Nov.	Dutch & Tamil	1/3639 (4)	i.e. parallel Dutch & Tamil texts in 1 issue.
1751	8 May	Dutch	1/2443 (3-4)	2 copies.
		Sinh.	1/2443 (5)	
		Tamil	1/2443 (6)	
	26 June	Dutch	1/2443 (13)	
		Sinh.	1/2443 (14)	
		Tamil	1/2443 (15)	
	12 Aug	Dutch	1/2443 (16) & 1/3639 (1)	2 copies.
		Tamil	1/2443 (17)	
1753	12 Apr.	Dutch	1/2443 (30-31)	2 issues (as described above under 29 June 1743).
		Sinh.	1/2443 (32-34)	3 copies.
		Tamil	?	Listed by Diehl.
1754	7 Sep.	Sinh.	1/2443 (59)	
		Tamil	1/2443 (58)	
1757 slaves.	31 May	Dutch	1/2444 (3-4)	2 copies. Concerns
		Sinh.	1/2444 (10)	
		Tamil	1/2444 (15)	
	31 May	Dutch	1/2444 (5)	Concerns taxes.
		Sinh.	1/2444 (11)	
		Tamil	1/2444 (16)	
	31 May	Dutch	1/2444 (6)	Concerns dessave.
		Sinh.	1/2444 (12)	
		Tamil	1/2444 (17)	

	31 May	Dutch	1/2444 (7-8)	2 copies. Subject matter not identified.
		Sinh.	1/2444 (13)	
		Tamil	1/2444 (18)	
	31 May	Dutch	1/2444 (9)	Concerns tobacco & alcohol
		Sinh.	1/2444 (14)	
		Tamil	1/2444 (19)	
	25 July	Dutch	1/2444 (34)	Place of issue in ms. Only = Gale.
		Sinh.	1/2444 (35)	Ditto.
	29 July	Dutch	1/2444 (36)	Has Batavia as place of issue.
	5 Aug.	Sinh.	1/2444 (37)	Place of issue in ms. Only = Gale.
1758	15 June	Sinh.	1/2444 (41)	
	15 Sep.	Tamil	1/2444 (48)	
1759	14 May	Sinh.	1/3639 (5)	
	2 June	Dutch	1/2444 (49) & 1/3639 (12)	2 Copies.
1760	21 Mar.	Dutch	1/3639 (15)	
	30 Apr.	Tamil	1/3639 (16)	
	5 Dec	Dutch	1/2444 (53)	
	.....	Dutch	1/2444 (54)	Damaged. Date missing except the year itself.
1765	1 Nov.	Dutch	1/2448 (14)	
1766	14 Feb.	Dutch	1/2444 (55-56)	2 copies, one Damaged.
		Tamil	1/2449	
	... Feb.	Dutch	1/2448 (15)	Day left blank to be inserted in ms.
1767	18 Sep.	Dutch	1/2444 (57)	
1768	18 March	Dutch	1/2444 (58)	Has Batavia as place of issue.
	30 June	Dutch	1/2448 (26 & 29)	2 issues – different settings of same text.
	... Aug.	Dutch	1/2448 (27)	Day left blank to be inserted in ms.

1769	15 June	Dutch	1/2444 (59,59a & 60)	3 copies.
	24 Aug.	Dutch	1/2444 (61)	
	29 Aug.	Dutch	1/2444 (62)	Reissue of the text of 24 Aug. (different setting in larger type).
	… Aug.	Dutch	1/2448 (28)	Day left blank to be inserted in ms.
1770	1 Nov.	Dutch	1/2444 (63)	Concerns weaponry.
	1 Nov.	Dutch	1/2444 (64)	Concerns Lord's Day observance.
	1 Dec.	Dutch	1/2444 (65)	
1771	30 May	Dutch	1/2444 (66)	Has Batavia as place of issue.
	1 Aug	Dutch	1/2444 (67)	
1773	28 May	Dutch	1/2445 (4)	
	1 July	Dutch	1/2445 (5)	
		Sinh.	1/2446 (54)	
		Tamil	1/2446 (55)	
1774	1 Feb.	Dutch	1/2446 (7)	Date corrected in ms. to 1775.
	13 May	Dutch	1/2449	2 copies, both damaged,
1776	22 March	Dutch	1/2445 (8-9)	2 copies, one damaged,
		Sinh.	1/2445 (2)	
	24 Dec,	Dutch	1/2445 (14-15)	2 copies.
1778	31 Dec	Dutch	1/2445 (25) & 1/2449	Has Batavia as place of issue. 2 copies one damaged.
1781	28 Aug.	Dutch	1/2445 (38-54)	Has Batavia as place of issue. 17 copies.
	11 Sept.	Dutch	1/2445 (55)	Has Batavia as place of issue.
1784	28 Dec.	Dutch	1/2445 (56)	Ditto.

1785	24 Oct.	Dutch	1/2446 (1)	
	25 Nov.	Dutch	1/2446 (2-3)	2 copies.
1787	5 June	Sinh.	1/2450	Dated in ms. only.
Text				set in 2 columns.
1789	11 April	Sinh.	1/2446 (4-11)	8 copies, all damaged.
	.....	Sinh.	1/2450	Has a printed seal impression with the year only.
1790	12 Sept.	Dutch	1/2446 (12)	Damaged.
		Sinh.	1/2446 (13)	Ditto.
		Tamil	1/2446 (14)	Ditto.
	28 Oct.	Dutch	1/2450	
		Dutch	1/2446(15)	
1791	4 Feb	Sinh.	1/2446 (16)	
		Tamil	1/2446 (17)	
	24 June	Dutch	1/2446 (18)	
		Sinh.	1/2446 (19)	
		Tamil	1/2446 (20)	
	22 July	Sinh.	1/2446 (21)	
1792	11 April	Sinh.	1/2446 (22-23)	2 copies.
	22 April	Tamil	1/2446 (24)	
	30 April	Dutch	1/2446 (25)	
	31 May	Dutch	1/2446 (26)	Damaged.
		Sinh.	1/2446 (27)	
		Tamil	1/2446 (28)	
	22 June	Sinh.	1/2446 (31)	Damaged.
	30 June	Dutch	1/2446 (32)	Ditto.
	.....	Tamil	1/2446 (33)	only the year given.
1793	17 Aug.	Dutch	1/2446 (34)	Damaged.
		Sinh.	1/2446 (35)	Ditto.
		Tamil	1/2446 (36)	Ditto.
1795	18 Dec.	Tamil	1/2446 (39-40)	2 copies, one damaged.

There are in addition ten item which can be somewhat less precisely dated :-

1737-39	Sinh.	1/2450	Signed by Imhofe as Governor.
1739-42	Sinh.	1/2440 (66-67)	Signed by Bruyninck as Governor. 2 copies, both damaged.
1752-57	Tamil	1/2443 (42)	Signed by Loten as Governor. Damaged.
1785-94	Sinh.	1/2446 (37)	Signed by Graaf as Governor. Damaged.
1785-94	Dutch,Sinh.& Tamil	1/2446 (50)	i.e. parallel Sinhalese, Dutch & Tamil texts in 1 issue.
1785-94	Dutch	1/2450	
	Sinh.	1/2450	
	Tamil	1/2450	
Undated	Sinh.	1/2450	
Undated	Tamil	1/2450	

WHAT REALLY HAPPENED IN 1848?

Patrick Peebles

The disturbances that took place in the central districts of Sri Lanka in late July and early August, 1848, often have captured the attention of students of Sri Lankan history. They have become important for twentieth century Sri Lankan nationalism, as a symbol of Sinhalese resistance to colonial domination

"The flame of revolt may have seemed extinguished. But the embers of disaffection smouldered in silence, and were ready to burst forth into a conflagration when the opportune moment arrived.... The first sign of discontent was expressed in a peasant demonstration which occurred in Kandy in the middle of the year 1848.... Peasants swarmed round the Kandy Kachcheri... Thousands more had been stopped by armed troops at the ferries and fords of the river....at Nalanda the peasants discovered a man who had the courage to lead the revolt for freedom, one Gonagalagoda Banda alias Peliyagoda David, a low-country Sinhalese... More than 100,000 armed men commenced their march under the newly crowned 'King'... they thought the people had but to voice their unanimous sentiments about the election of the sovereign... and the British would apologetically walk out of the country."[1]

The leaders of the disturbances have become folk heroes reminiscent of Jesse James and Billy the Kid in the American West, particularly Weerahennedige Francisco Fernendo, known as Puran Appu (from Puran-sikku for Francisco). Puran Appu has been immortalized with a film and a commemorative stamp.

Scholarly histories also have given the events more attention than their influence on Sri Lankan history would merit. Three examples illustrate this: Denis Greenstreet calls it "the Kandyan peasant revolt" and incorrectly claims that the peasants captured Matale and Kurunegala and twice attacked Kandy.[2] Jean Grossholtz asserts that the "widespread and serious revolt" was a response to British appropriation of Kandyan land (as she says

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1. [D.C. Vijayavardhana], *The Revolt in the Temple* (Colombo: Sinha Publications, 1953), pp. 97-100.
2. Denis K. Greenstreet, *Ethnic and Elective Problems of Sri Lanka* (Ceylon) 1796-1931 (London: Saser Publications, 1982), pp. 15-16

the 1818 revolt was) [3] and that "the basic organizing force of the 1848 rebellion was the Buddhist clergy and the Buddhist faith." [4] Finally, Asoka Bandarage calls it a "major upheaval" and concludes "that plantation development was the underlying cause of the 1848 rebellion." [5]

There are at least two good reasons for examining the disturbances once more. First, the three year Parliamentary investigation of the episode make it one of the best documented confrontations between a colonial power and its subjects in the nineteenth century. A thorough understanding of this confrontation can have wider significance for modern history. Parliament published more than 3.000 pages of evidence, papers, dispatches and reports. The actual events have been obscured, however, by the deplorable state of British administration at the time, and by partisan feelings among the witnesses. Thus the records must be used with extreme caution, and a better understanding of the disturbances will help scholars to do so.

This leads to the second justification for this paper: the wealth of sources have allowed substantially differed interpretations, some of them untenable, to persist. Specifically, the works cited above have elevated the disturbances to the status of a 'rebellion' (with or without quotation marks), even though no one has established that there was a rebellion at all.

The idea that there was no rebellion in 1848 is not an original conclusion. The weight of scholarship until recently supported the interpretation that it was actually a protest against unfair taxes that got out of hand. British blunders and the exploitation of the peasant discontent by criminals led to violence. Lennox A. Mills, in the standard history of British colonial administration in Sri Lanka used "revolt" and "rebellion" to describe what happened, but he concluded that "the real object (of the leaders) was probably to amass plunder and then disappear"[6]. G.C. Mendis agreed, flatly dismissing the possibility of a Kandyan Rebellion. "These riots" he wrote, "can hardly be called a rebellion."[7] Sri Lankan School texts until recently agreed. In his *History of Ceylon for Schools*, for

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3. Jean Grossholtz, *Forging Capitalist Patriarchy* (Durham, N.C. : Duke University Press, 1984), pp. 45-46
4. *Ibid.*, pp. 100-101
5. Asoka Bandarage, *Colonialism in Sri Lanka* (Berlin: Mounton, 1983), pp. 316-317.
6. Lennox A. Mills, *Ceylon Under British Rule, 1795-1932* (London : Oxford University Press, 1973), p. 182.
7. G.C. Mendis, *Ceylon Under the British* (Colombo: Colombo Apothecaries, Ltd., 1946). P.61.

example, Father S.G. Perera wrote that "Beyond the robbing of one or two planters' bungalows, nothing of importance had occurred." [8] As I show below, the evidence continues to support this interpretation.

Until Mills and Mendis wrote their accounts, scholars tended to accept the official British opinion that there was a rebellion organized by Kandyan *bhikkhus* and headmen. W,P. Morrell wrote in 1930, "The taxes, it seems clear, were rather the occasion than the cause of the rebellion... The root of the trouble seems to have been that the Kandyans had never really acquiesced in British rule... And the people were in the mood to listen to their chiefs and priests."[9] Morrell relied on the testimony of Governor Viscount Torrington and Colonial Secretary Sir James Emerson Tennent, who exaggerated the extent of the disturbances in defense of their panicky overreaction. On August 11, 1848, a week after the disturbances had ended, Lord Torrington wrote privately to the Secretary of State for the Colonies that he could prove that this rebellion has been of long standing as far as intention goes and that every chief, priest and headmen were aware of it and that they only were waiting for an opportunity... to commence." [10] Tennent used his massive

compendium on Ceylon to restate this argument: "Such was the impatience of the Kandyan chiefs and the Buddhist priests to restore the Kandyan monarchy, that in addition to the formidable rebellion of 1817... (incidents occurred in 1820, 1823, 1824, 1830, 1835, 1843,) and in 1848, the most formidable rising of the Kandyans since 1817 was crushed and defeated by the promptness and vigour of Viscount Torrington." [11] And, said Tennent, even the European revolutionary outburst in 1848 "was eagerly employed to arouse the long suppressed wishes of the Kandyans for the restoration of their national independence" [12]

Comparable statements can be found in the testimony of witnesses before the parliamentary committee, in some reports by civil servants, and in pamphlets produced in defense of

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8. S.G. Perera, S.J. *A History of Ceylon for Schools, Vol. II, 1795-1948.* (Sixth Edition; Colombo: Associated Newspaper of Ceylon, Ltd., 1951), pp. 101-102.
9. W.P. Morrell, *British Colonial Policy in the Age of Peel and Russell* (London and Edinburgh: Frank Cass and Co., 1966). pp. 529-530.
10. K.M. De Silva, ed. *Letters on Ceylon, 1846-50: The Administration of Viscount Torrington and the 'Rebellion' of 1848.* (Kandy and Colombo: K.V.G. de Silva and Sons, 1965), p. 93.
11. James Emerson Tennent. *Ceylon. An account of the Island Physical, Historical and Topographical* (Dehiwala, Sri Lanka: Tisara Prakasakayo, 1977), Vol. II, pp. 620-621n.
12. *Ibid.*, p. 1009.

the prolonged period of martial law, which continued into October. At the extreme was the report of C.R. Buller, the Government Agent of the Central Province who had ignored signs of discontent before the disturbances and afterwards gave the impossible estimate of "considerably more than 100,000 rebels."[13] Members of the British community in Sri Lanka wrote lurid descriptions of the severity of the rebellion in defense of Torrington. The best of these, the pamphlets of James Steuart, discretely avoids details of the rebellion itself. They must be discounted as attempts to win British favor for development of the Island by the mercantile and planting community. They had originally seen in the appointment of Torrington, evidence of public support for investment, only to have their hopes shattered by the adverse publicity. As Morrell observed, by the third year the British community in Ceylon was sick of the inquiry and wanted the Colonial Office to give some attention to their problems. [14]

The present state of scholarship on the disturbances rests on a foundation of the original research of K. M. De Silva.[15] His writings on the subject have resulted in three major contributions to the subject.

First, he put the disturbances firmly into a broader historical context. De Silva has skillfully described the events leading to the outbreak of violence. By 1848 the Kandyan Sinhalese of all classes had accumulated numerous grievances against the British. The Kandyan Kingdom had been appropriated in 1815, brutally suppressed in 1817-18, dismembered in 1833 and then subjected to the invasions of British coffee planters, low-country shopkeepers, moneylenders and mudaliyars, and south Indian laborers. The extent to which the estates dispossessed villagers of their lands is hotly debated, but at a minimum they encroached on pasture lands which had been used communally by the Kandyans, leading to conflict when cattle strayed onto plantations. The coffee industry employed Kandyan villagers for seasonal labor and introduced low-country products -- particularly

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13. Great Britain. Parliament. *Parliamentary Papers* (Commons). " Appendix to the Third Report from the Committee on Ceylon (Sess. 1850); with a Index. "No 36-II of 1851, VIII, Part 2 (February, 1851), Buller Report (November 4, 1849), p. 209. Hereafter Parliamentary Papers are cited as Buller Report (November 4, 1849), *Parl.Pap.*, 1851 (36-II), p. 209
14. Morrell□ *British Colonial Policy*, p. 503.
15. De Silva's most complete account is in the Introduction to *Letters on Ceylon, 1846-50,* pp. 5-31. It expands an earlier paper, "The 'Rebellion' of 1848," *Ceylon Journal of Historical and Social Studies,* VII (July, 1964), 28-42 His subsequent publications repeat much of the Introduction verbatim and refer the reader back to it, although sometimes adding new information.

arrack – for their consumption. In July, 1848, there were demonstrations in several parts of the island against the new taxes, and mounting discontent as the British failed to justify them to the satisfaction of people. He presents a convincing case that the plantations did not by themselves cause the disturbances.

Second, De Silva presents a thorough record of the disturbances themselves. He establishes that the disturbances were an eruption of violence feeding on these sources of discontent, and uniting temporarily in opposition to the ill-planned taxes. He dispells the myth of a conspiracy by "chiefs and priests", and concludes that the leaders "did not belong to the traditional *elite* but were of peasant stock, some of them hailing from the low country." [16] He sifts through the British sources to establish very candidly that the disturbances failed to create more than a minor threat to the peace.

De Silva's third major contribution to the study of the disturbances has been his analysis of its effect on British colonial policy, particularly on its reversal of the Evangelical crusade against Buddhism, to which the Colonial Office attributed much of the discontent. He shows clearly that they remained insensitive to the consequences of their actions in the Kandyan territories until the disturbances became an issue in British domestic politics, although in retrospect there were clear indication of Kandyan disaffection before 1848.

Where de Silva -- and to a greater extent, less cautious scholars who have borrowed his conclusion -- have faltered is is in their failure to establish that these disturbances were any more than a brief spasm of violence in reaction to the intolerable condition he describes so well. Unlike Mills and Mendis he considers the disturbances to be much more, and draws some startling conclusions. He calls this eruption "a mass movement" or "primary resistance movement" and states that a small group of men sought to channel the wide spread discontent into a fool hardy attempt to drive the British out of Kandy."[17] Furthermore, "Their aim was a return to the traditional Kandyan pattern of life, which they aspired to resuscitate by making one of their number king. The force that inspired these men was the traditionalist nationalism of the Kandyans, a form of nationalism poles apart of that of the twentieth century but still nationalism for that." [18]

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16. De Silva, ed. *University of Ceylon History of Ceylon. Vol. III* (Peradeniya, Ceylon: University of Ceylon Press Board, 1973), p. 254.
17. Ibid.
18. Ibid.

De Silva apparently planned at one time to publish a history of the disturbances that presumably would have documented these conclusions, but has never done so. In fact his later accounts of the disturbances add little substance to his earlier accounts, while placing on them a heavier burden of interpretation. There is only a single fragment of direct evidence (described below) to support his conclusions, while the preponderance of evidence leads one away from them. The following history of the disturbances will recount what actually occurred in those few days.

The Disturbances

There had been rumors that agitators had been circulating among the villages in the northern part of Matale District even before demonstrations took place in Kandy on July 6. On June 30 Buller wrote to Tennent that he had received reports of

> "Some person traversing the province, and imposing on the people with a view to collect contributions from them: and to serve his purpose better, he as represented himself as a relative of the late king and has taken advantage of the present state of feeling amongst the people to increase the excitement among them." [19]

Buller considered these reports to be false and ignored them. Little is heard of these activities until a crowd gathered at Lenadora north of Matale on July 23. This had been reported by Don David, *rate mahatmaya* of Beligal Korale: Dullawe Maha Nilame, the senior Kandyan chieftain, and Golahella, *rate mahatmaya* of North Matale. [20] The first reported that preparations were being made to attack Kandy and Kurunegala and that the villagers were joining a man claiming to be the king of Kandy. The incompetent Buller and the inexperienced commander of the troops at Kandy. Lt. Col. T.A Drought, did not ignore these reports so much as doubt them, questioning the towards Golahella, both wrote that he should be punished for sending in false reports.[21] (After the declaration of martial law, he was accused of instigating the riots, suspended, arrested, and charged with treason. His property was confiscated and he had difficulty recovering it even after the

19. Government Agent of Central Province to Colonial Secretary (June 30, 1848), *Parl. Pap..,* 1851 (36-II), 97.
20. Golahella to Buller (July 24, 1848), *Parl. Pap..,*1851 (36-II), 448. Golahella to Buller (July 27, 1848), ibid., 454. Golahella Petitions, ibid., 585-87. David to Mitford (July 23, 1848), *Parl. Pap.,* 1849 [1018], 175-76.
21. Drought to Buller (July 25, 1848), *Parl. Pap.,* 1851 (36-II), p. 449. Buller to Waring (July 25, 1848), ibid. Buller to Tennent (July 31, 1848), ibid., p. 495.

charges against him were dismissed. Dullawe was also mistreated, which hastened the elderly man's death within months.)

Apparently encouraged by the inaction of the British, the gatherings continued until the alleged coronation of Peliyagoda David, alias Gongalegoda Banda, on Wednesday July 26. He was believed to have been a member of the Vahumpura caste who worked in the up-country as a *vedarála* or as a bullock-cart driver (a common occupation of low-country men in the highlands before the advent of the railway).[22] He was described as a handsome man who spoke Sinhala like an educated man and also spoke Tamil.[23]

According to his own testimony, the aged *bhikkhu* Ambalambe Unnanse of Dambulla Vihara was called from his bath by ten men armed with guns at 5 p.m. on July 26. [24] He was told that a king had arrived, but was sufficiently unimpressed not only to finish his bath, but also to prepare a chew of betel before greeting the dignitary. David, who was accompanied by a guard of twenty men armed with guns and followed by a crowd of 700 to 800 men , lost his temper first at the dilatory *bhikkhu* and then at the unruly crowd. Finally he worshipped at the Vishnu Devale and demanded that the Ven. Ambalambe perform a *pirit* for a king on his behalf. The *bhikkhu* did not specify what he did, but the translation of a Sinhalese letter dated July 30 and included in a dispatch by Torrington alleges that he "pronounced the hymns of victory and blessing over a vase full of water and anointed Denis (sic) king of Kandy."[25] Denis was a brother of David. There is no evidence for the unlikely assertion by Colonel Drought that David was "invested with the sword of state of proclaimed King of Kandy."[26]

On July 27 the crowd moved from Lenadora to the outskirts of Matale. Kandyan Sinhalese officials estimated their numbers variously from "upward of 100 people" to 2,000.[27] Buller was moved to action only on the following day, when he realized that mail runners from Trincomalee had stopped arriving. He set off to Matale, only to meet the police magistrate, who fled the town along with the entire European community when the crowd approached

22. J.M. Henderson, *The History of the Rebellion in Ceylon.* (London; Charles T. Skeen 1868), p. 9.
23. Statement of Ambalamde Unnanse, (August 12, 1848), *Parl. Pap.* 1850 (106), p. 189.
24. Ibid.
25. Ibid, p.190.
26. Enclosure in Governor to Secretary of State, No 184 of 1848, (October 14, 1848), Ibid., p. 240
27. Waring to Buller 6 p.m. (July 27, 1848), *Parl. Pap.* 1851 (36-II), p. 457. Warning to Buller (10 a.m. Juiy 28, 1848), Ibid.., 453-56; Buller Report (November 13, 1849), pp. 214-16.

it. Kandyan prisoners who were arrested in Matale the following day usually gave "three or four thousand "or" four or five thousand" as the number who entered Matale.[28]

The British first made contact with the so-called rebels at dawn on July 29, and at this point we meet Captain Albert Watson and Lieutenat John Macdonald Henderson. Henderson is the author of what De Silva calls "the only substantial work"[29] concerning these events, He was, with Watson, the first to enter Matale and he served there under Watson during the period of martial law. His testimony to the parliamentary committee exposed both the exaggerations of the colonialgovernment and the abuse of power by men working for Captain Watson, earning him the wrath of both civil and military authorities. His book tries to present his defence of his own testimony and to accuse Watson of criminal behavior.

The extent of Watson's guilt is irrelevant to this paper: suffice to say that he consistently overestimated the threat from supposed rebels and he encouraged harsh and abusive behavior against Kandyans, particularly the headmen. For example, he testified that there were 8,000 rebels firing good Birmingham rifles at close range at the initial encounter.[30] since no British troops were injured at this time, it is safe to conclude that his testimony was a gross exaggeration at best.

Henderson's account of the rebellion, obviously based on a close reading of the *Parliamentary_Papers* in addition to his own notes and recollections, is in contrast to Watson's testimony, thoroughly convincing. Troops were belatedly sent out from Kandy at 10 p.m. on Friday night the 28th. They met no resistance and heard only a few shots, apparently signals of their approach. Then after a dreary night hindered by monsoon rains, they arrived at 6 a.m. at Wariyapoal, one and one-half miles from Matale. Here transpired the confrontation described by Watson. Captain Lillie, who commanded the troops, called this a "slight brush" in his official report, and said that he could make no estimate of the numbers of rebels because they were hiding in the trees, and "only 15 or 20 could be seen at any one point."[31] Except for Waston, the other officers estimated

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28. Testimony at Courts Martial (Kandy (Sept. 18, 1848) *Parl. Pap.* 1849 [1018], pp. 243-48.
29. de Silva , *Letters on Ceylon*, p.1.
30. Watson testimony, *Parl. Pap.* 1851 (36-I), p. 21; cf. Also *Parl. Pap.* 1850 (669) and 1851 [1413] which deals primarily with Watson, and Henderson, *History of the Rebellion, passim.*
31. Lillie to Drought, (11 a.m. July 29, 1848) *Parl. Pap.* 1851 (36-II), p. 491.

the numbers of "rebels" between 50 and 200.[32] Henderson asserts that no shots were fired by the Kandyans, and about 60 were disarmed – 30 of them arrested: the remainder fleeing in to the jungle, chased by Malay troops of the Ceylon Rifle Regiment.[33] They surprised "seventy or eighty natives in a mob under the tree... Those who stood fast, I verily believe, were panic struck."[34] They offered no resistance, and if Watson would have ordered them to do so, they would have surrendered. He did not and troops began firing and in the case of the Malays, stabbing with bayonet and *kris*.

The British and Malay troops proceeded into Matale where government and missionary buildings were looted and damaged but no buildings were burned. [35] Four unarmed Kandyans were killed when someone ordered the Malays to fire on them. The troops followed the looters to the Wariyapola Estate where the European overseer, Edward Baker, had been assaulted at about 3 p.m. and left tightly bound. Henderson suggests that Baker was the victim of revenge for his improper advances to Kandyan women. David's palanquin had been abandoned at Wariyapola Estate: there the British received their second and last casualty—a soldier bruised by a spent bullet apparently fired by Henderson's men In the next day, two 10 or 11 deserted bungalows were looted but once the first bungalow was defended from looters, all looting stopped.

This was the end of the disturbances in Matale Distric except for the capture of David, who was hiding in the jungle. The British apparently expected David to retreat to the north and concentrated their efforts in the direction of Dambulla. He eventually was found hiding just 8 miles southeast of Matale near Hunasgiriya, now ringed with tea estates, but at that time dense jungle.

There was no report of the whereabouts of the supposed rebels for the remainder of Saturday, July 29, until that evening, when a crowd was reported forming seven to ten miles from Kurunegala on the Trincomalee road, only 15 miles from Matale. [36] It seems likely that many of these were the same people who had been in Matale, although there was a separate individual Dingeralle of Hangurankette (Dingirale) who called himself

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32. Court Martial, Kandy (Sept. 18, 1848), Parl. Pap. , 1849 [1018], p. 245. Testimony of Lt. Henderson, Parl. Pap., 1851 (36), p. 459. Testimony of Lt. East. Ibid., p.641. Statement of Dingeralle (Sept. 4, 1848), Parl. Pap. 1851 (36-II), pp. 133-34.
33. Henderson, History of the Rebellion, p. 22.
34. Ibid.
35. Ibid., p. 30.
36. Statement of Rate Mahatmaya of Dorateawe (Aug. 4, 1848), *Parl. Pap.*, 1851 (36-II), p. 314.

"king of seven *korales*". Kandepola Basnaike Nilame, the *korala* of *Ganava korale* who was forced to join the mob as they moved towards Kurunegala during the night later reported , "There were 4,000 or 5,000 people: 100 of them had guns, and 300 or 400 swords," [37] Three British civil servants were in Kurunegala as the crowd entered the town on Sunday morning, July 30. They left as soon as they saw the rebels coming, estimating their numder at 1,500. [38]

A contingent of 30 troops from Kandy led by Lt. Charles Annesley arrived about half an hour later: Lt. Annesley reported that his troops were fired upon when they entered the town, but none were injured. In any case the British fired into the looters and dispersed the crowd, killing 16 persons, wounding several and capturing 29. On Monday July 31 British scouts saw no one, but on Tuesday mobs twice approached the town but fled when two soldiers (in a -party of 11) fired warning shots. Two days later Dingeralle was captured. According to Captain Henry Charles Bird who was sent to Kurunegala to interrogate him Dingeralle was "surrounded by about 300 followers and he was exhorting them to assemble for a third attack upon Kurunegala." [39]

De Silva attributes the inability of the "rebels" to succeed against the British to the military superiority of the Europeans, but in fact there was no military action worthy of the name in the entire episode. Henderson suggests that there was no resistance to British troops whatsoever until they fired on unresisting Kandyans. There is little justification for labeling it a rebellion. Given the ease with which the crowds were dispersed, it is likely that the presence of troops a day sooner in Matale and an hour sooner in Kurunegala –or posibly even of a civil servant who didn't run away at the sound of a mob—would have given us nothing at all to write about. Aware of this, De Silva still asserts that this was in fact a rebellion, albeit a futile one. Perhaps indirect evidence could come either from the character of the leadership, such as it was, or from the numbers involved.

A Mass Movement?

De Silva calls the actions of the Kandyans a "mass movement" or a "primary resistance movement" with little justification. These terms cannot be applied to the disturbances of 1848 in any of their common meanings.

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37. Annesley to Drought (3 p.m. July 30, 1848), *Parl. Pap.* 1851 (36-II), p. 440.
38. Annesley to Drought (3 p.m. July 30, 1848), 1850 (106), pp. 467-8 Templer to Tennent (Aug. 1, 1848), *Parl. Pap.*, 1851 (36-II), 120. Annesley to Drought (2 p.m. Aug. 1, 184), Ibid.., p. 503. Annseley to Drought (4 p.m. Aug. 1, 1848), Ibid.
39. Testimony of Captain Bird, *Parl. Pap.*, 1850 (106), pp. 220,233.

When the estimate of the numbers given in the sources are examined closely, the outrageously high numbers given by Torrington and other British authorities disappear. The defendants on trial for treason usually claimed that they were forced to join processions as they passed them, or did so out of fear or excitement, and it is certain that many people did so (although not necessarily the defendents themselves). Thus the presence of crowds does not mean a mass movement: rather it shows a large number of Kandyan villagers venting their anger and frustration on the spur of the moment.

It is also difficult to estimate just how many Kandyan villagers were caught up in these crowds. The estimates of crowd size given by prisoners, two months after the events, are suspiciously high on three grounds. First, there would be a natural desire to minimize one's own guilt by implicating as many people as possible: second, it would have been clear by September that the British wanted the numbers to be as high as possible to justify their own behavior. Finally villagers not accustomed to seeing large crowds of people might overestimate the numbers. One Kandyan witness was asked to estimate the number of people in the courtroom: he guessed 500, although there were only 200.[40]

Even during these processions, the most reliable eyewitnesses who came into contact with large crowds distinguished between two levels of participation: a nucleus armed with guns and a large number of hangers-on. Except during the marches on Matale and Kurunegala and at the "coronation", the number of active participants numbered 100 or fewer. (The exception - was the numbers of "followers" captured with Dingeralle, and many of these may have been villagers anticipating another chance to loot Kurunegela. Altogether about 200 persons died and 500 were arrested, but it is certain that many of these were looters, bystanders and villagers caught up in the momentary excitement. It is unlikely in fact that the armed nucleus of rioters could have numbered more than three or four hundred: the hundred or so who gathered at Lenadora, those men who initiated the marches on Matale and Kurunegala, and an - uncertain of those captured with Dingeralle.

These were, of course, overlapping groups. On the basis of the English-language sources, I conclude that it was these men who may have constituted a potentially rebellious Kandyan population—men willing to sacrifice their lives and take up arms against the foreign occupation in a futile cause. They were not rebels, however, as much as they were victims of the times. Those who aroused them did not lead them against the British.

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40. Parl. Pap., 1849 [1018], p. 252.

Organized resistance?

There is only one fragment of evidence that unambiguously supports the notion that there wse an organized attempt to drive the British from Kandyan territory in 1848. This a declaration by one of the leaders quoted by De Silva in his later works on the rebellion:

> "...the religion of Buddha has degenerated on account of the improper conduct of the British government. I in conjunction with all the Headmen and the people must expel the 'low-caste English." We must then improve our religion and when we die we shall inherit blessings."[41]

De Silva cites an enclosure in Torrinton's confidential dispatch to Grey on November 14, 1849, in Colonial Office records, Series 54, Volume 263. I have not been able to consult the original source, but this dispatch and its predecessor, a confidential dispatch on November 13, have been printed in Appendix A, No. 1 of *Sessional Paper* 36-11 of 1851.[42] At this time there was "total postponement of all the other functions of Government here to the one care of amassing materials for defence" of its actions during and after the disturbances."[43] Tennent sent letters to all the British civil servants in the island listing the conclusions of those (particularly Lt. Henderson, Philip Wodehouse, Philip Anstruther, and advocate John Selby [44]), who presented much the same interpretation as that given in this paper. "I am instructed by the Governor," he wrote, "to request that you will prepare and forward a statement of your opinion as to the accuracy of these assertions..."[45]

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41. Quoted in de Silva, ed., University of Ceylon History of Ceylon. Vol. III, p. 254 and in K.M. de Silva, "Resistance Movements in Nineteenth Century Sri Lanka ," in Collective Identities, Nationalisms and Protest in Modern Sri Lanka. Edited by M. Roberts (Colombo: Marga Institute, 1979), p. 140.
42. Appendix A, No 1 of *Parl. Pap.*, 1851 (36-II), consists of 31 Despatches from Torrington to Grey and 20 from Grey to Torrington, with enclosures. Appendix A is 253 pages long, half of which (pp. 94-222) is the Confidential dispatch of Nov. 13 and that of Nov. 14 another 17 pages (223-239). I have been unable to find this quotation in Appendix A.
43. Maccarthy to Grey ("quite private") December 13, 1849, reprinted in "The Private Correspondence of the Third Earl Grey," edited by K.M. de Silva, Journal of the Ceylon Branch of the Royal Asiatic Society, Vol. X, n.s. (1966), p. 58.
44. Selby's petition in Appendix D, No. 4 of *Parl. Pap.*, 1851 (36-II_, pp. 279-281 is probably the clearest contemporary account of the disturbances.
45. Tennent to Civil Servants, No. 1, Servants, No. 1, September 28, 1849 (Private and Confidential), *Parl. Pap.*, 1851 (36-II), Appendix A, p. 166.

Torrington collected "a large mass of documents of various kinds."[46] Documents in these dispatches produced during the disturbances or immediately after tend to support the conclusions of this paper. Those produced in late 1849 overwhelmingly justify the serverity of the repression. One must bear in mind that this evidence was produced on demand by British civil servants who were aware that **1)** a colonial governor at this time had virtually autocratic power in a colony: **2)** Lord Torrington was an extremely powerful and well-connected man in England; **3)** at this time he displayed "a hysterical violence in his manner, a weakness and way-wardness in all his moods, that really make me tremble for his sanity," [47] and **4)** he had openly threatened to destroy the career of Wodehouse, one of the few numbers of the Ceylon Civil Service with influential connection of his own in England.[48] Given these circumstances, it is not surprising that the members of the CCS, and the Sri Lankan subordinates from whom they in turn requested information, universally supported Torrington's position.

The quotation given above, therefore, would have to be corroborated by additional evidence to be acceptable. Most of the leaders whose statements have been printed in fact show themselves to be weak and cowardly, abjectly denying any intent to overthrow the British, or implicating as many Kandyan chiefs as possible to spread their guilt among others. There is no rebellion without organized resistance to a government, and there is at present no evidence that these men planned to overthrow the British, or that they resisted them until fired upon by British troops. What then were they doing?

The appearance of a "pretender" in the Kandyan highlands was not an unusual occurence. Several times in previous years individuals had appeared claiming to be a successor of the last Kandyan king in some remote part of the interior. These "pretenders" appear to have staged minor local disturbances and then disappeared with contributions levied from villagers. Such an incident occurred in 1842, when Governor Colin Campbell ignored it and allowed it to run its course. Deputy Queen's Advocate Christopher Temple (later to become Senior Puisne Judge) investigated this case and concluded, "if treason was the object of these persons, which is almost too ridiculous to believe, their attempt has been a most signal failure." The Executive Council decided that "the attempt to create disturbance appears to have been insignificant in the extreme."[49]

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46. Dispatch of Nov. 13, 1849, *Parl. Pap.*, 1851 (36-II) , p. 94.
47. Maccarthy to Greg, Dec. 17, 1849, JCBRAS Vol, X, (1966), 9. 60.
48. Letter from Lucy Templer to Philips Wodehouse, 3 May 1850 *Parl. Pap.*, 1851 (36-II), p. 584.
49. Report of July 5, 1842, in Governor of Ceylon No. 177 of 1842. (November 14, 1842), *Parl. Pap.*, 1849 [1018], p. 350.

British law hindered the prosecution of these fraudulent pretenders because high treason was the only crime for which they had evidence on which to proceed, yet they wanted neither to give the perpetrators an elevated sort of notoriety, nor to take the trouble to prepare such a case. When they finally were compelled to prosecute in 1843, the nuisance disappeared after one "pretender" was convicted of high treason. Earlier Colonel Jonathan Forbes, who served in Ceylon 1826-1837, ending up as Assistant Government Agent at Matale, had faced similar problems. "Those pretenders are low country speculators: they are robbers, in fact."[50] They intimidated villagers into giving gifts from fear, not from any attachment to the Kandyan monarchy. He claimed to have put an end to a similar episode in 1836 [1835?] by arresting a "pretender" on the grounds of vagrancy.[51] Major Thomas Skinner likewise says that the 1835 incident "was all nonsense.[52]

(There is no evidence that this "pretender" was any different; in fact, David was one of those implicated in the 1842 fraud. Experienced British civil servants unanimously) identified the leaders as well-known criminals.[53] The British sources that identify the individual leaders, rather than vaguely accusing "chiefs and priests" unanimously call them criminals. For example, Anstruther, the long-time Colonial Secretary, said "the people connected with the rebellion were, many of them, robbers. Some of the worst were killed."[54] Both Henderson and Wodehouse single out Puran Appu as a criminal. Henderson [55] identified one of his prisoners as "a celebrated robber, and gaol breaker, of the name of Poorang Appoo". "Here is one man," added Wodehouse. "of very notorious character indeed, in the list of those tried by the courts martial, Poorang Appoo. That man was a notorious thief, a highway robber.At that very time there were rewards for his apprehension for other crimes."[56]

Given the three levels of participation: leaders, armed followers, and a large number of frustrated and curious villagers, one could reconstruct the following scenario for July,

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50. Testimony of Colonel Jonathan Forbes, *Parl. Pap.*, 1850 (106), p.273.
51. Ibid., p.271.
52. Testimony of Major Skinner, *Parl. Pap.*, 1850 (106), p.293.
53. Cf. also Dunuwille Loku Banda, below. A letter obviously from Loku Banda's brother, proctor James A. Dunwille to the Maha Mudaliyar (3 August 1848) calls "the noted thief Poorang Appoo... a great marauder, and the greatest pest in the country." *Parl. Pap.*, 1851 (36-II), pp. 136-7.
54. Testimony of Philip Anstruther, *Parl. Pap.*, 1851 (36-I), p. 136.
55. Henderson, History of the Rebellion, p. 42.
56. Testimony of Philip Wodehouse, *Parl. Pap.*, 1850 (106), p. 107.

1848: a handful of low-country criminals residing in the Kandyan Hills, noticing the widespread discontent, decided it was time to revive the "pretender" racket. Assigning themselves various costumes and titles, they began exploiting the unsophisticated villagers in the name of Kandyan restoration. On this occasion, however, the racket backfired. A band of followers took them too seriously and forced them to carry out their promises. Furthermore enough villagers tagged along with the procession as it made its way from Lenadora to Matale to frighten the British into a panic that initially enabled the crowds to loot two towns but eventually led to military suppression rather than the benign neglect they had experienced in 1842.

The most interesting confirmation of this hypothesis is in the reports filed by Kandy police superintendent Dunuwille Loku Banda, whose reactions carry the authority of one who himself had been accused of a similar sort of extortion in 1835.[57] Loku Banda wrote on July 26, "I have every reason to suspect the notorious Poorang Appoo, Denis and David Appoo, to be the ringleaders of the mob; they do so with a view to rob the inhabitants."[58] Since Puran Appu and his two henchmen, Hewahakuruge Thomis and Yakdepelage Allis, were wanted for other crimes, he set his men after them. He journeyed to Matale himself and when he met with headmen he changed his mind; he originally believed that

"It was only a trick of Denies and David and Poorng Appoo to collect contributions from the people; and that as in former years, after making their collections, which they appropriated to their own private purposes, they would pretend that the occasion was not favorable for the rebellion, and postpone it to the next year, and this was confirmed by the reports that I had previously received and it was not till after my arrival at Matalle that I ascertained that the people were in reality commencing a rebellion."[59]

Loku Banda's statement brings us back to the original question. What really happened in 1848? It was not a wide-spread rebellion, but it also was more than the kind of fraud perpetrated by low-country "pretenders" that had plagued the Kandyan hills for years. The "marauders" were unable to abscond with their collections. Our attention will have to shift from the so-called leaders and the British to the Kandyan villagers themselves. Did they express a traditional form of nationalism or possibly even resistance to the appropriation of their land for plantation development? Without the myth of a rebellion to obscure our view, perhaps we can find out what really happened in 1848.

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57. Testimony of Philip Anstruther, *Parl. Pap.*, 1851 (36-I), p. 750.
58. Loku Banda to Buller (6 p.m., July 26, 1848), *Parl. Pap.*, 1851 (36-II), p. 451.
59. Ibid.

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SOME THOUGHTS ON THE PRESERVATION OF DOCUMENTS

A.R.B. Amerasinghe

We are concerned at this discussion with documents and their preservation by safely depositing them with the special authority set up by Government viz., the National Archives. There are other institutions which are principally concerned with the preservation of different things. e.g. there is the Archaeolgical Department which is given the duty of preserving our monuments and there is the National Museum which preserves artifacts and so on. In a wide sense, a monument or an artifact may also be called a **DOCUMENT**, for they too may serve to show or prove something. So the Sigiriya frescoes may be regarded as invaluable documents. That great artist, Sir Joshua Reynolds once remarked that even bad pictures supplied him with useful documents!

Usually, however, we understand the word "document" to refer to something written or inscribed which furnishes information or evidence upon any subject. A "document" in this sense may be

a) **A MANUSCRIPT** i.e. any handwritten document made of paper, ola, copper, silver, gold or other material except granite; or

b) **A RECORD**, i.e. any original or copy of any manuscript, paper, letter, register, report, book

magazine, map, chart, plan, drawing, picture, or photograph either handwritten, drawn, printed or produced in any other way on paper or any other material such as films, magnetic tapes, computer disks and any other media except granite. A Record becomes a **Public Record** if it is officially received or produced or prepared in a any public office in the course of its official functions.

Why do we make written records? Obviously because we want to recall some information. So we write down telephone numbers and addresses. The manner in which we make a record will often give us clues to what we want to do with it. If someone wants you to telephone him back after checking up something, you may just jot his number down on a memo pad and then throw the page away a moment or two later. On the other hand, if it is the number of a person you may have to call frequently, you may put the number down in your address book.

In other words records are of relative importance. They may be important or unimportant by reference to time and purpose. The telephone number you jotted down to call someone back is only of very temporary importance. Its value is short-lived in terms of purpose and time.

This is equally true of certain public records. And by reference to the twin criteria of purpose and time, it may be possible to select records that have ceased to be useful. When it has been decided that a record is useless, it ought to be destroyed, for otherwise you will find that the accumulation of useless records clutters up your office and makes access to relevant and useful information more and more difficult. Moreover, useless records take up space and space is a valuable thing. It is quantifiable in Rupees and Cents. Office space is a scarce resource in any city. Preservation and destruction are but two sides of a single coin.

As far as the law courts are concerned, the criteria for identifying documents of no value were set out almost a century ago in the DESTRUCTION OF VALUELESS DOCUMENTS ORDINANCE No 12 of 1894, Cap.479 of the Legislative Enactments. The Minister of Justice was empowered to bring any court under the operation of that Ordinance. When the Minister makes an order, the presiding officer must make a register of all the records in that court which are extant and missing in terms of the form prescribed. The Ordinance describes what types of documents are not to be destroyed and when documents may be destroyed. A record of destroyed documents is required to be made in the forms prescribed in the Ordinance. I should like to suggest that the Director of National Archives be always consulted before the destruction of court records with regard to their qualitative aspects and with regard to their qualitative and physical aspects in the matter of preservation.

As for other public records:

THE NATIONAL ARCHIVES LAW No.48 of 1973 imposes certain duties and obligations on the head of any department or the officer for the time being discharging the duties and functions of the head of that department. These are partly set out in Chapter XXVIII section 9 of the **Administrative Regulations** which spell out the obligations of a head of a department with regard to the custody, preservation and destruction of official documents. These are statutory obligations which you must observe. It is in the national interest that you must observe them and, therefore, you must know them and strictly comply with what you are expected to do.

What must you do to comply with the requirements of the law?

a) As a head of department – as the 'responsible officer' in terms of the National Archives Law No.48 of 1973 – you should, in consultation with the Director of the National

Archives, prepare, and up-date from time to time, schedules of records which should be transferred to the National Archives for permanent preservation and also schedules of records which should be destroyed as valueless or ephemeral records, i.e. records which are merely of fleeting signification.

b) These preliminary schedules should be sent to the Director of the National Archives within a month after the completion of scheduling for the purpose of obtaining the approval of the Director of the National Archives.

c) It is your responsibility as the head of your department to see that you comply with the duty of preserving certain documents and destroying others. It is advisable to be systematic in the discharge of these duties and I would recommend that the saving / destruction operation be regularly carried out – always under your directions and supervision, of course – at fixed, regular intervals.

d) Although you ought to destroy certain documents from time to time, you should, I think, do this always while keeping a record of what you are destroying otherwise you will not know whether it yet exists and then waste time and effort and cause needless frustration by stating to members of the public that the 'matter is being looked into' whilst you are hoping for answers in papers that no longer exist. So when you decide to destroy a document, enter the following basic information in a register which you must always ensure is carefully preserved:

    (1) Number and date of document or file.
    (2) Subject.
    (3) Period covered.
    (4) A précis of the contents.
    (5) Reference to the letter authorizing the destruction of the document.
    (6) Mode of destruction (e.g. shredding, handing it over to the Paper Mills Corpn., burning).
    (7) Date of destruction.

e) I said earlier on that with the passage of time some records become worthless. On the other hand others become more and more valuable as time goes on. The expert in the matter is the Director of National Archives and I would suggest that a mutually convenient date be fixed each year for consultation with him as to what should be ear-marked for preservation and transfer to the archives.

f) Age is not the only criterion for preservation:

There are some documents which must be preserved regardless of their age for purposes of determining policy and for pure research purposes. These include:

(1) Correspondence with the Colonial Secretary's office prior to Independence.
(2) A document or record relating to the establishment, constitution and administration of your department, the appointment of its officers and its winding up.
(3) A specimen of every new denomination of currency note or coin and any other document declared for the purpose of permanent preservation.
(4) A file relating to policy matters.
(5) A document relating to the implementation of policy matters.
(6) A record relating to any Commission or Committee appointed under the Commission of Inquiry Act, Special Presidential Commission or any Committee of Inquiry appointed by the President or by a Minister or by any special Act of Inquiry passed by Parliament.
(7) A document of record relating to the achievement of any public officer.
(8) A document of record relating to activities or schemes closed up by any public officer.
(9) Evidence of the rights or obligations of or against the Government, title or property and claims for compensation not subject to a time limit. Beware here that time limits are subject to various rules of law laid down by statutes and by the decisions of the courts of law.
(10) A record relating to a well-known public or international event or celebration or to other event of national importance.
(11) A record relating to important scientific and technical research and development.
(12) A record pertaining to matters of significant local and regional interest.
(13) A document relating to land and claims there to and to the value of land and property, especially state-owned land, chenas, forests and other lands belonging to individuals or held in joint ownership.
(14) A document required by law to be preserved.
(15) Any other document which the Director of the National Archives may ask you to preserve.

The Director of National Archives has certain powers and you heads of departments have certain co-relative duties prescribed by section 9 of the National Archives Law. In order to avoid needless conflicts, it is in your interest to know what they are.

(1) The Director of National Archives has access to any place of deposit of public records and he has the power to examine such records with a view to listing or collecting information from such records or to taking such steps as are necessary for their transfer to the National Archives for permanent preservation.

(2) The head of department, or person performing his duties and functions at the relevant time□ is under a statutory obligation

a) to afford the Director of the National Archives or any other officer authorized by him in writing, all facilities for the examination and selection of such public records for permanent preservation and for the transfer of such records to the National Archives;

b) to keep in safe custody in such office any class or description of public records selected by the Director or by such other officer pending the transfer of such records to the National Archives:

c) to perform such duties in connection with the selection and listing of such public records in his custody for transfer to the National Archives as may be required by the Director:

d) to transfer such records, being records not less than twenty-five years old as are required by the Director to be transferred to the National Archives for permanent preservation'

In this connection, it must be remembered that for various reasons it may be necessary to defer the transfer of the documents to the National Archives. In such a case, a list of the retained records must be transmitted by the head of department or such other person who may at that time be performing the duties and functions of the head of department, to the Director of the National Archives.

Another point of importance. When a head of department or person temporarily performing his duties and functions considers that a document to be transferred is of a confidential or secret nature or for some reason he believes that it contains information that should not be divulged to the public, he may specify condition subject to which such document shall be kept in the National Archives or shall be made available for public inspection, if he does so, the Director of National Archives is bound to observe the condition laid down.

Then there are obligations when a public office is closed down or wound up. The head of department is legally bound in such an eventuality to transmit to the Director of National Archives a complete list of all public records in his office and he must make arrangements to deposit in the National Archives such records as the Director may select or require for permanent preservation in the National Archives.

Similar obligations are imposed on Secretaries to Commission of Inquiry appointed under the Commissions of Inquiry Act or any Committee of Inquiry appointed by a Minister. The Secretary of the Commission or Committee, as the case may be, must deposit all records relating to such Commission or Committee at the National Archives within three months of the rendering of the final report of such Commission or Committee.

Finally, as public officers you should note that you are statutorily obliged to transmit certain documents to the Director of National Archives, depending on the office you hold:

(1) As a head of department or person performing his duties and functions, you must transmit to the Director of National Archives a copy of every annual report, statement of accounts and any other publication issued by your office within thirty days of such issue.

(2) As the Postmaster-General, you must transmit to the Director of National Archives a specimen of each new postage stamp, first-day cover, postal order form, aerogramme and post card issued by him within thirty days of such issue.

(3) As the Governor of the Central Bank, you must transmit to the Director of National Archives a cancelled specimen of every new denomination of currency note and a specimen of every new coin issued by the Central Bank within thirty days of such issue.

(4) As the Surveyor-General, you must transmit to the Director of National Archives a copy of every map, plan, chart or other publication issued by the Surveyor-General for sale to the public, within thirty days of such issue.

There are similar obligations imposed on candidates for election to Parliament and other elected assemblies.

I have briefly outlined your duties and obligations as heads of departments or as persons otherwise responsible for the preservation of documents. What we are and what we do depend on the decisions taken and recorded in the valuable documents in your custody and care. That is an important enough reason to take seriously the obligations imposed upon you to preserve those instruments that guide our present decisions. You must also realize that, since the future can only be shaped by reference to the past, your responsibility to help in the preservation of essential documents by co-operating with the Director of National Archives in accordance with the law is, I believe, an obligation that deserves your careful consideration.

SOME SOCIAL ISSUES AFFECTING THE PUBLIC ADMINISTRATION IN SRI LANKA IN THE NINETEENTH CENTURY.

M. U. de Silva

The British inherited the administrative machinery of the Dutch in the maritime provinces of Sri Lanka in 1796 and of the Kandyan kingdom in 1815 in which the institution of caste played an important role. Though it was inconstant with some of the "liberal" and humanitarian policies of the governments in Britain and some of the colonies of the period, they continued this machinery with occasional modification till it was officially abandoned by an Order in Council on 12 April 1832[1], which abolished *rájakáriya* or the service tenure system.

Hitherto, the superior appointments in the Civil Services were exclusively reserved for the Europeans nominated by the Colonial Office while the native appointments, which were of subordinate status, were made by the Governor on the basis of caste, rank, family status and so forth. On the recommendations of Colebrooke,[2] Government Service appointments were in theory thrown open in 1832 to duly qualified native inhabitants, irrespective of caste or creed, and the Governor was instructed to re-organize the administration on lines of economy as shown by the Commissioner.[3] However, for many reasons emanating from local circumstances and the attitudes of some prominent officials, these recommendations were not fully implemented in their true spirit.

Caste services which had been previously organized under *baddal* or departments were abolished, the extraction of compulsory services on caste basis was stopped, and some of the monopolies,

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1) Ceylon Government Gazette, 29 September 1832, Colonial Office (C.O) 58, 14

2) William MacLean George Colebrooke 1787-1870 having been educated at Woolwich Military College entered the Royal Artillery in 1803 as a first Lieutenant and served in many part, of the British Impire including Sri Lanka 1805-09 India, Java and Sumatra. He was appointed a Commissioner of Inquiry into the Affairs of Sri Lanka in 1822

3) Goderich to Horton, 14 September 1832, C.O 54, 74 No. 79

most of which were organized on caste lines were discounted. The native headman service was thrown open to all castes and was placed under the supervision of provincial Government Agents, while the appointment of caste headmen was discontinued, caste was divorced from land tenure to the government based upon caste [4] and the caste distinction of dress were discontinued. The net result of these reforms would have been the obliteration of indices of caste distinction and the gradual disappearance of the caste system. The subsequent rapid development of the plantation, the establishment of capitalist enterprises and the spread of new ideas with the expansion of education, English education in particular would have accelerated this disestablishment. Yet, factors such as endogamy and ritualistic practices, which partly sustained the caste, was in way weakened by these official declarations. Many retained the traditional attachment to caste and honour associated with it. [5]

From a close examination of the nett result of the reforms of 1832-34, especially in the public services to which the native inhabitants could lay claims, it is evident that they were beneficial to one particular caste, the *Goyigamas*. The headman service in which the major castes in the maritime provinces had a share till then was now in the hands, of this caste, which the British officials favoured and acknowledged to be the highest in the social hierarchy. This paved the way for some other castes, especially those favoured in Dutch times to question the justification of the new arrangements. They repeatedly pressed the government for a fair consideration of their claims for appointments and contested them unsuccessfully when vacancies occurred. The competition was very clear in the appointment to headman posts, the District Judgeship of the Colombo and Kandy courts, the Puisne Judgeship of the Supreme Court, for the native seats in the Legislative Council and elections to Municipal Councils. Such aspirations ultimately led to caste rivalry, which was expressed in numerous petitions and even in representation to the British House of Common. The consequence was the growth of a considerable polemical literature on caste in the late nineteenth century where entirely new claims and caste origin were presented. [6] At the height of this controversy Sir Arthur Hamilton Gordon, the Governor of Sri Lanka who was the main target of accusation leveled by local elitists at that time remarked;

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4) However, the caste services attached to the *Nindagam, Déválagam* and *Viháragam* were allowed to function.

5) Don Anthony Fernando on behalf of the People of maritime provinces to Colebrook, Petition No. 145, C.O. 416, 29.

6) De Silva K.M. Sri Lanka a Survey, London 1977, p.105.

"The *Vellála* [sic] [7] caste is not only the highest, but is also by far the most numerous caste outnumbering all the other castes put together and therefore no doubt a larger amount of appointments are made from it, rather than from those of other castes. Caste exists and it will be long before it ceases to exercise influence. Like my predecessors, I am therefore, obliged to recognize the fact of its existence". [8]

In the maritime provinces there was no unanimity regarding the hierarchical position of castes where colonialism and westernization and in a limited sense a process of modernization had set in. this process affected social relations by the emergence of new social groups such as planters, small capitalists, wage earners forming alliance based on common interests outside the narrow ethnic and caste framework. In the areas that had belonged to the Kandyan kingdom hierarchical disturbances began only after its annexation by the British in 1815. On account of the paucity of information on the pre-colonial period and in view of conflicting opinions it is difficult to build up with certainty the hierarchical position of castes in the maritime provinces of Sri Lanka at any time of its history. Yet there is sufficient evidence to believe that the *Karáwa*, *Salágama* and *Duráwa* castes enjoyed equal status with *Goyigamas* in many spheres of activity during the Portuguese and the Dutch times. However, there is evidence to believe that the *Karáwa* and *Salágama* castes swelled in numbers voluntarily joining their ranks in the expectation of economic benefits during the Portuguese and the Dutch times. Apart from this the *Karáwa*, *Salágama* and *Duráwa* castes were not bound to serve the *Goyigama* caste in ritualistic services, and the Portuguese and the Dutch governments in order to get the maximum services of these castes in exploiting the resources of the country strengthened these groups with their own hierarchy of headmen independent of the *Goyigama* headmen. However, intermarriages between these were not common, but when the caste services became too oppressive during the late Dutch period many deserted their camps in the hope of relief.

In the Kandyan kingdom the caste system was well entrenched and provided the base for economic activities and the maintenance of social relations and political stability under the monarchy. The kingdom emerged as the protector of national and cultural identity when the coastal areas were subject to western dominance. The Royal Court was however heavily subjected to South Indian influence in due course. There is reason to

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7) The Dutch and British official used this term to identity in common the *Vellála* caste of the Tamils and the *Goyigamas* of the Sinhalese.

8) Gordon to Earl Knutsford 3 August 1889; C.O. 54, 583, No.312.

think that in this isolated existence subject to South Indian influence more particularly to Hindu influence, the caste system got strengthened on the South Indian model. The caste ideology allocated specific functions both mundane and ritualistic to different castes. Caste determined the social position of every individual in the social ladder. The *Goyigama* caste enjoyed a privileged position while persons of the *Radala* sub-caste, though few in number occupied the principal positions in the administration.[9]

When the Kandyan and the coastal regions were amalgamated with the administrative unification in 1833, the *Goyigama* caste gained a clear ascendancy over the other castes due to the patronage extended by the British officials. To understand this change one has to look into the caste organization at work during the preceding period.

The administrative system, which the British inherited, was closely bound up with land tenures, caste and *rájakáriya*. One fundamental feature of feudalism-the association of land tenure with military service-was not prominent in Sri Lanka, though the King commanded the right to summon the inhabitants, for military service in times of crisis. This service system which operated in Sri Lanka has been defined as "caste feudalism" by some modern writers.[10] The various services allocated to caste groups were largely divided according to labour specialization and were centered around the monarchy which was absolute, although the King's acts were supposed to be guided by long established customs. The requirements of the monarchy or the economic necessities of the state, caused changes in the inherited occupations of individuals and castes, Thus the rise and fall of castes depended to a large extent on the acts of the state. Unlike in India, there was not all embracing concept of *Dharma* or *Varna* with their religious and philosophical justifications.

It is perhaps possible to agree with the view that in a particular caste system under pressure towards change the differing status, positions the component groups are derived ultimately and basically from the distribution of political and economic power within that system.[11] As Balandier noted all societies are heterogeneous, history adding new elements to them without eliminating old ones. The differentiation of functions multiplies and the groups adjust its relation to each other.[12] The upward mobility of such social groups depends on

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9) Kulasekara, K.M.P. pp.$_{20\text{-}38.}$

10) Leach E.R. *Hydrolic Society in Ceylon*; *Past and Present* No. 15, 1959, pp. 2-26.

11) Colin Runner, Social Mobility in the Newer caste System, *Caste and kin in Nepal, India* and Ceylon, ed. C. Van Furor Heimendorf, 1978, New Delhi, p.69.

12) Balandier, George, *Political Anthropology*, 1971, p.78.

the political and economic importance it gains from the state and in the observance of "artificial standards" it imposes on society. Honors, riches and authority are common goals to all castes and the competition for them between and within the caste is fierce and continuous.

The origin of the caste system in Sri Lanka is lost in the obscure past. The classical literatures of the Sinhalese however make isolated references to the fourfold division, which seem to be a memory of the ancient past. Till the end of the nineteenth century the literature on the caste system among the Sinhalese was mostly written by foreigners, who identified the main features of the social organization as they saw and understood it. They have listed the major social groups, custom, occupational roles and specializations with varying degrees of accuracy. The official records of the western powers who ruled over the various parts of the island had a natural inclination towards statistical compilations justifying their exaction of service labour from the different categories of people. The mass of literature that sprang up at the end of the nineteenth century of a polemical nature showed the natural bias of their authors. It is therefore, difficult to free the subject from obscurity in treatment. The concept of caste which no doubt came from India developed in due course its own forms and the uniqueness due to such features as the influence of Buddhism, partial isolation from its original home, a strong and unified monarchial administration and subjection to continuous Indian influence, more particularly South Indian through the ages.

With the fall of the hydraulic civilization of *rajarata* and in the process of shifting the administrative center to the south west low lands, Sri Lanka had been subjected to a series of migrations from South Indian coastal belt and from the south eastern parts of the Asian continent, some of these migratory groups would have come from areas where highly institutionalized caste structures existed. The professional skills of these migratory groups, the availability of plants, animals and minerals connected with their longstanding skills and life style and the requirements of the local rulers and the society as a whole have had a bearing in the location of their early settlements. The royal prerogative power of assigning to new arrivals and functions and to the state would have completed the process of their integration. In due course this process would have led to the emergence of a hierarchy and unequal relations between individual and social groups.[13] Caste distinctions would have emerged and stabilized when the groups become culturally and occupationally dependent on one another's.

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13) Gilbert William H, Sri Lanka caste system in central and south Ceylon, *Ceylon Historical Journal*, Vol. 2, pp 295-366.

The administrative apparatus of the Sinhalese kings which the westerner, inherited by annexation and conquest can be divided into three major divisions taking the Kandyan system as a guide. Firstly, there were the institutions and offices connected with the monarchy and the royal household, which included the offices responsible for defence, financial matters, military command and other public duties of the king, the officer in charge of the stores and supply of provisions and the officer responsible for the personal comfort of the king. These officers were often held by the king's trustworthy favourites, kinsman and soforth. When the foreign powers assumed control over the native administration these posts were discontinued. Secondly, these were the *baddas* or the Departments managing specialized labour services such as the *kottalbadda*,the artificers department of the *Navandanna* caste, *Madige*, or the transport department carried by the Muslims and the *Karáwa* cast, *Badahelabadda* or the department of potters *Radábadda* of the department of washers *Kúruwe* or the elephant department of the *Duráwa* caste, *Mahabadda* or department of Cinnamon of the *Salágama* caste etc. Each *badda* was organizer separately and service due to the state were exacted under the hierarchy of officials of whom at least the lower ranks were selected from the same caste. The work of these departments were made easy due to the segregation of castes offers in specific villages or hamlets. The ritual functions assigned to some of the castes made their service to those above undispensable as such several caste hamlets would have been parts of the larger village unit. The imposition of foreign authority over this *badda* organization and the subsequent utilization of the caste obligations to foster the economic aims of the ruling western powers would have had a disruptive effect resulting in significant changes. Thirdly, there was the administration of the provinces, districts and the villages each under a separate head varying in rank, power and social status. The higher territorial appointments were confined to a few families regarded as loyal to the respective European rulers selected mostly from the *Goyigama* caste they assumed "first class" status among the *Goyigama* caste during the late Dutch and early British administrations in maritime provinces. In the *Kandyan* areas these posts were held by the *Radala* group of the *Goyigama* caste.

Apart from inherited sub-caste status, Weber's hypothesis as stated by Balandier, that power is a possibility given to an actor within a determind social relation of ruling as he wishes [14] could safely be applied to the emergence of the "first class" awareness among

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14) Balandier, p 35.

some of the Mudaliyar families of the lowlands. [15] The repeated appointment of headmen from the same families who remained loyal to the Western powers could have enhanced the position of these families above those of others of the same caste. Subsequently, the favours, concessions and honours extended by the colonial powers to these officiating families were useful in the pursuit of their economic and political objectives and the official intervention in formalizing the services Disáva. The services would have further enhanced their social position. In the maritime provinces at the end of the Dutch rule the *Goyigama*, *Karáwa, Salágama* castes and in certain localities the *Duráwa* caste too were enjoying higher position in the caste hierarchy with their own administrative heads chosen from particular families. In some instances the governor or a senior European administrator officiated as the head of the caste. Thus for instance in 1798 the Revenue Commissioner assumed the headship of the *Karárwa* caste while Governor Sir Fedrick North claimed headship over the *Salágama* caste.[16] At the same time to a casual observer the social distance between some of the castes may have appeared very small and indeed were so unobtrusive in their operation in official matters.[17]

While the maritime provinces were subject to western colonialism and caste change, the caste system in the Kandyan kingdom was well entrenched in the administration. It did not give prominence to some of the castes found in the maritime provinces. For instance, the *Salágama* and *Karáwa* castes were totally absent or had only a few representatives (perhaps migrants from the low country) in the caste hierarchy of the Kandyan kingdom. Perhaps under the influence of the South Indian nobility at the Royal Court, who were acquainted with the institutionalized caste system in South India, the caste system functioned with full vigour under the overall leadership of the *Goyigama* caste. The punishments meted out to the people varied according to the caste and rank of the convicts and the caste system helped the King to retain the status-quo in the kingdom and maintain his authority and ensure political stability. Most of the higher and lower positions of the administrative service was manned by persons of the *Goyigama* caste while few inferior positions called *Durávas* were held by the non *Goyigama* castes. The formal divisions of

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15) Mudaliyar was administrative head of Pattus and Kórales in the maritime provinces. At the beginning they were the commanders of the local military under the regional heads called Disávas. The Portuguese and the Dutch appointed Europeans as Disávas and in the course of time Mudaliyars were transformed into revenue officers and administered territorial divisions.

16) Arbuthnot to Lord Glenberrie , 2 Octomber 1801, North Manuscripts,

17) Gombrich Richard F. *Precept and Practice*, Oxford 1971, p. 296.

the *Goyigama* caste with the *Radala* section receiving preferential treatment from both *Mudali* and others sub caste groups of the *Goyigama* caste were unknown in the maritime provinces.

In the north of Sri Lanka where predominantly the Tamils lived, the caste system was no more than a regional variant within the South Indian pattern. The status ladder composed of a small segment of *Brahmins* associated with the rituals in *kóvils*, the dominant majority of agriculturists the *Vellálas*, a number of small professional castes and the labourers of untouchable rank. The *Vellálas*, the landed gentry lived like feudal lords with the traditional *Kudimai* [18] (right side) and *Adimai*[19] (left side) retinues representative different castes which served them in such capacity whenever occasion demanded. [20] Like in South India certain warrior and artisan castes challenged the *Velláala* domination by emulating Brahmin purity and claiming to be of higher *Varna* rank that the *Vellálas*. The *Vellálas* played conspicuous roles as the patrons of *kóvils* providing funds for their construction, upkeep and the festival expenses [21].

The tenurial system too was different from that or the Sinhala areas as there were no big land owner, comparable to the *nindagam* holders of the Kandyan areas. *Vellálas* held cultivable land which was cultivated with paddy by means of ponds where the laboring castes served for a share crop. The agrarian reforms introduced by the Dutch in the late seventeenth and early eighteenth centuries tend to replace the traditional paddy growing economy with that of a cash crop gardening system. These changes were economically useful to the Dutch as they could bring rice from South India for the exchange of garden crops. The untouchable castes who till, were helping the *Vellálas* in cultivating the land on share crop basis were defined as slaves under the Roman Dutch law and were deprived of their right to a share of the crop. The large scale importation of untouchables from South Indian coast to Jaffna region as slaves further deepened the cleavage of caste relationship. The shift completed the destruction of the traditional legal framework by which the right, of the untouchables claim to *Vellála* harvest rested. The land became a marketable commodity without any right to the hitherto right, enjoyed by the untouchables.

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18) *Kudimai* represented such as goldsmith, blacksmith, coppersmith carpenter and temple carver and professional castes such an the potter, masons, was hear and barber, el;

19) *Adimai* represented the menial labour, such as Nalavar, Parlar and Kovia caste.

20) Hocart, A.M. *Caste, a comparative study*, New York 1950,p.7

21) Plattenberger, *Bryan, Caste in Tamil Culture*, Vikas Publishing Home, 1982 pp 61-80

The socio- economic changes taken place in the early part of the nineteenth century under the British rule disrupted the *kadimai, atimai* relationship but the monopolistic hold of *Vellálas* in educational, political and economic opportunities generated by the British enterprise and the patronage extended by the local administrators on the *Vellálas* further strengthened their position. As junior partners of the British administration the *Vellála* headmen became the liaison officers between the masses and the British officials. The maintenance of the position of patrons of Hindu kóvils and their preeminence in religious and ritualistic practices further enhanced their social superiority. However, many of the artisans and other service castes prospered under the liberal and expanding economy which aided to establish independent survival from the *Vellálas,* sometimes made unsuccessful attempts to fill the vacancies created in the higher rungs of the positions left for the natives. The socially inferior castes were by custom held in bondage to the *Vellálas.*

Right from the beginning the British officials appears to have been carried away by the impression that only the *Goyigama* and *Vellála* caste headmen could command the respect of the inhabitants taken as a whole.[22] This assumption may have been due to several factors. The close involvement of the British in South Indian politics, where rigid caste intolerance existed, and the experience and inclination of the officials there to patronize the most influential castes in selecting officials in order to maintain law and order would have influenced them in their dealings in Sri Lanka. In the Sri Lankan context the Maha Mudaliyar who was regarded as the chief adviser to the Governor on native matters was always selected from the *Goyigama* caste. Besides, the emphasis on the paddy tax which was the main source of revenue for a considerable time and close association of *Goyigama* caste headmen in its management the fact that the *Goyigama* caste formed the majority of the population and general acceptability to most castes would have further influenced this assumption. A government decree in 1797 directed the revenue officers to appoint Mudaliyars and other petty headmen from the *Goyigama* caste in the Sinhala areas and the *Vellála* and the superior castes in the Tamil areas undoubtedly tilted the scale of importance in the local bureaucracy in favour of the *Goyigama* caste. [23] This was further

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22) In the maritime provinces the *Salágama* and the *Karáva* caste headmen could command the authority over quite a large segment of the population. At the same time, the *Goyigama* caste appear to have had no difficulties in controlling even the people of the above castes. Perhaps it was the power of the British Government that really mattered. Kannangara P.D., "Headman system in the British administration of the Maritime provinces of Sri Lanka 1796-1833" *Kalyanee*, Journal of Humanities and *Social Sciences*, University of Kelaniya, vol.1, October 1982, p.104.

23) Proclamation of 16 August 1797,C.O. 55.2

strengthened by the appeal of the Kandyan nobility in 1815 for the non appointment over them of headmen of the low country especially from the non *Goyigama* castes.

English was the language of the administration and the acquisition of an English education became the passport to many types of government employment. In this sphere the *Goyigama* nobility which enjoyed the official patronage at the beginning was at an advantage. Fredcrick North (1798-1805) for instance the first Governor of Sri Lanka, started a seminary at Colombo to educate carefully selected sons of Mudaliyars and other chieftain families for the government service.[24] His aim was to bring up a category of local partners in the public service connected by ties of blood with the principal native families and by education, life style and office with Englishmen.[25] There was an overwhelming predominance of *Goyigama* caste pupils who obtained an English education at the seminary.[26] Separate class room were maintained for the

	1812	**1830**
Sinhala Students	**83**	**79**
Goyigama caste	70	70
Salágama	06	04
Karáva	05	04
Duráva	02	01

Goyigama caste pupils who refused to sit with other caste pupils. On the other hand the *Saláagama*, *Karáva* and *Duráva* castes students though few in numbers moved freely with the Burgher and Tamil students [27] The native school masters of the seminary were also recruited on a caste basis.[28] According to the Archdeacon, there was caste jealousy to the extremes among the pupils who appear to have constantly disputed over caste matters.[29]

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24) North to Secretary of State, 26 Februay 1799, S.L.N.A. 5,1

25) North to Secretary of State, 26 Februay 1799, S.L.N.A. 5,1

26) Number of the student, at the Colombo Seminary

27) Barnes to Secretary of dated 11 March 1829; co.54,104.
Archdeacon's reply to Colebrooke,29 Octomber 1830; co.416,6, C State13

28) In 1832 there were 2 English teachers, a *Vellála* and a *Salágama* teacher in the Seminary staff.

29) Archdeacon's reply to Colebrooke, 29 October 1830; c.o.416,6, C State13

This segment of future leaders they brought up with government patronage with caste awareness not only retained their influence over their respective castes, but also adjusted themselves to the new requirements. The first Cambridge graduate and some of the earliest lawyers among the Sinhalese emerged from the *Goyigama* caste through patronage. Promoted and helped by the government and later by the missionaries they strengthened their claims for government employment. In the early British administrative and judicial set up the Governor caste headmen procured the influential key positions such as those of Kórale Mudaliyar, Kachcheri or Atapattu Mudaliyar and the interpreter Mudaliyar of courts. They became the liaison officers between the British civil servants, judges and the native inhabitants in the judicial and other matters.

The British after their first attempt at disregarding the native laws, tradition and custom which culminated in a rebellion in 1797 were very conscious of adhering to the native laws and customs. Though it was inconsistent with the current British thinking they were compelled by circumstances to recognize in law the rules of caste in order to maintain peace and tranquility. By a proclamation dated 10th November 1802, [30] the Provincial Courts were empowered to hear and determine all disputes of the natives according to the laws and usages of caste of the litigants. Regulation No. 18 of 1806, [31] laid down the right to services of persons of lower castes to the higher castes in the Jaffna peninsula. The clothing and wearing of ornaments of native headmen were regulated on caste lines by Regulation No. 6 of 1809. [32] The legality of pressing for caste services was maintained by Regulation No. 5 of 1818, [33] and the settlement of questions of caste by Provincial Courts was regulated by the Regulation No. 5 of 1824. [34]

Though the British Government took steps to regulate and maintain distinction of caste in court proceedings, these customary laws and traditions were not codified except for those of the Tamils and the Mohommedans. However, the Judges, mostly British civil servants, were expected to take judicial notice of caste traditions, without any guidance regarding such laws and customs [35] from the judicial authorities no uniform practice appears to have

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30) Skeen, William, *A Collection of Legislative Acts, of the Ceylon Government*, vol.1, 1796-1833, pp 64-65

31) Skeen, vol.1, pp. 106 -107

32) Ibid, pp. 119 – 120

33) Ibid, pp. 205 – 206

34) Ibid, p 305

35) Sir Hardinge Giffard's observation upon Justice in Ceylon, 11 April 1829; C.O.416, 14, F 23

prevailed, the judges following the path of least resistance. Some of them considered themselves not authorized to take notice of caste unless it was brought to their notice on pleading or evidence by the party desiring to take advantage of it.[36] On deciding such disputes some judges depended on the strength of evidence produced by the parties before the court,[37] they often found a technical point to dismiss such cases. In some courts no distinction was paid to caste disputes.[38] In some others the judges depended on the opinion of Interpreter Mudaliyars of courts. This was further aggravated by the fact that most of the lawyers associated in the judicial proceedings in these courts were Burghers who were equally ignorant of the customs of the litigants. At the same time other changes were taking place in the socio-economic conditions in the Maritime Provinces giving rise to merchant and wage earning classes and emergence of urban settlements which cut across the caste fabric.

When Colebrooke began his investigations in 1829 a large number of petitions were received from the various caste groups on alleged violation of caste traditions. The *Goyigama* caste especially complained of the violation of longstanding caste traditions and the enjoyment of privileges that were reserved for them by the *goldsmiths*,[39] *washers, barbers, hunu, wahumpura, berawa* and olie castes. In one instance *Goyigama* caste headmen were protesting jointly with those of the *Duráva* caste regarding such violation.[40]

The British were more careful in maintaining traditional norms in the administration in the Kandyan kingdom. In the judicial administration they made use of headmen through the institution of Assessors. The institution of Assessors was given a legal form by a proclamation of 22 November 1818. Initially the Adigars, Disáves, Mohottalas and

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36) H.Pannel, Provincial Judge of Colombo, Answer to question 142, 22 November 1830; C.O.416, 13, F.20

37) H.Pannel, Provincial Judge of Colombo, to Commissioner of Inquiry, , 11 September 1829; C.O.416, 13, F.20

38) Provincial Judge of Galle and Matara, Answer to Question No.11, 14 December 1829, C.O.416, 13, F.20

39) Petition of 13 persons on behalf of the *Goyigama* caste, Galle, 13 June 1829;C.O.416, 29 petition No. 116

40) Petition of 40 *Vellála* and *Duráva* headmen of Matara, 9 June 1829; C.O.416, 29, Petition No. 101

Kóralas were summoned as Assessors, but by a proclamation of 28 August 1829,[41] other officials equal in family connections to such chiefs were also summoned. Thus it was the *Goyigama* nobility that was mobilized for judicial purposes in the Kandyan provinces. In the maritime provinces it appears that even in the absence of such institutions as that of Assessors, the Interpreter Mudaliyars of the courts who were of the *Goyigama* caste often unofficially guided the judge on caste matters. By this time the *Goyigam*a caste had a virtual hold over the indigenous institutional framework of the government. Thus the remark of Bryce Ryan that "the immediate groundwork for *Goyigama* political ascendancy lies in the British period" [42] appears to have had some foundation in fact.

The patronage extended to *Goyigama* mudaliyar families by the early British rulers continued till the Mudaliyar system was officially abolished in 1938. As early as 1805 Governor Thomas Maitland (1805-1812) complained that his predecessor had thrown the whole of the power of the districts of Colombo, Galle and Matara in the hand of Maha Mudaliyar Ilangakoon and his family of the *Goyigama* caste who infact "to all intents and purposes carry on a distinct government of their own". [43] On the other hand Maitland's reforms in the headmen service in fact strengthened the position of the Maha Mudaliyar David de Saram and his family who continued to enjoy a place of importance throughout the nineteenth and twentieth centuries.

The British also continued the Dutch practice of appointing Mudaliyars of the Governor's Gate and guard the coveted distinction on the most loyal and influential headmen. According to a memorandum submitted by Boyd, the Revenue Commissioner, to Colebrooke, there were 4 Maha Mudaliyars, 15 Mudaliyars, and 7 Muhandirums of the Governors Gate of which the de Sáram family occupied seven positions while the majority of the rest were related to them by marriage thereby creating a family oligarchy in this category of appointments. [44]

The nett result of these changes in the native subordinate service up to 1832 was the gradual strengthening of the authority of the *Goyigama* caste headman above the others. This was further enhanced by the reforms carried out in the *badde* services during this period. Though by local circumstances the British were compelled to continue the

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41) Proclamation affecting the Kandyan Provinces 1822-1831

42) Bryce Ryan, *Caste in modern Ceylon*, Rutgers Press 1953, p.323

43) Maitland to London, 19 October 1805, C.O. 54,18

44) Kannangara op.cit. Kalyanee, p.113

caste services following upon the Portuguese and the Dutch practice they allowed the economically unimportant castes services to lapse. The vacancies to such posts were not filled and often the duties were amalgamated with those of the territorial headman. Thus some of the castes in the Maritime Provinces lost their key administrative positions. The economically and numerically weak castes accepted the change with occasional protests, while the economically powerful and numerically strong *Karáva* caste kept their protests, alive throughout the century. At the commencement of British rule the *Karáva* castes had Mudaliyars, Maha Vidanes and other headmen to supervise the *rájakáriya* services.[45]But by the time *rájakáriya* was abolished they had lost the Mudaliyar posts and many of the Maha Vidane posts. The inbalance caused by this change was seen by Colebrooke. [46] The second Maha Mudaliyar of the *Goyigama* caste enjoyed the fish accomodesam of the Maha Vidane of Panadura while the headman for *Karava* caste, inhabitants, of Colombo belonged to the *Goyigama* castes. The *Karáva* department, which had been formerly under the *Duráva* Mudaliyar of the Colombo district was transferred to a *Goyigama* caste Mudaliyar at the death of the former.[47] The Maha Mudaliyar now officiated as the Gajanáyaka Nilame.[48]

The *Karáva* caste inhabitants of Weligama petitioned Colebrooke and complained that in the absence of their headmen, they were being apprised by the *Goyigama* Headmen, who is violating castes rules, forced them to gather salt at the salterns, carry the baggages of officials and bear torches to headmen.[49] They also complained that they were not in a position to bring their grievances before the government as every channel of communication was being blocked by the *Goyigama* caste headmen.[50] Even the *Salágama* castes of the *Mahabadda* department, which was kept intact till 1832, complained of the violation of castes traditions and forceful engagement in other service by the *Goyigama* castes headmen.[51]

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45) Petition of 427 persons of Karáva caste to Colebrooke, 10 November 1830, C.O.54, 131 No. 43 Enclosure

46) Colebrooke to Leserre, N.D. June 1834; C.O.54, 145

47) At the death of John Phillipse De Silva Abhayawickrama Gunathilaka Rajakaruna, a *Duráva* Mudaliyar of the Colombo District, the Kuruwe Department was transferred to Johannes Louis Perere, a *Goyigama* caste Mudliyar.

48) Ceylon Calender 1831

49) Petition of fisher caste 30, Weligama, 14 July 1829; Co.416, 29 Petition No. 138

50) Petition of 427 persons of *Karáva* 10 November 1830; Co.54, 131 No.43, Enclosure

51) Petition of *Salágama* caste people of Dadalla, 15 August 1829; Co.416, 5,13,15

The *Mahabadda* was the only caste service of the Maritime Provinces which was not totally disturbed by the early reforms of the British. Through some of the special privileges they had enjoyed during the last phase of Dutch rule discontinued by the reforms of Governor North. [52] A population of roughly between 26000 to 27000 [53].of the *Salágama* caste spread over six districs of the Maritime Provinces [54]. Along the coast from Chilaw to Hambantota was placed under the superintendence of the head of the cinnamon department who was always an European. There were Mudaliyars appointed from among the *Salágama* caste in charge of specific regions [55].with a host of Muhandirams and other subordinate headmen appointed to supervise the native work of the department[56]. Their administrative functions often cut across the territorial administration. The superintendent of the cinnamon department was also the head of the separate judicial tribunal of the *Mahabadda*. The territorial headmen and the judicial officers of the other tribunals were expected to deal with matters relating to the *Salágama* caste people through the superintendent and the chief Mudaliyar of the *Mahabadda* [57].thus the *Salágama* caste enjoyed a privileged position and the regulations regarding dress was not applied to them. According to Governor Horton (1831-1836) "*Salágama* caste view *Vellála* superiority with much jealousy and were inspired with the conviction that they have an equal right with the *Vellála* to public employment [58]. He reported that this impression was gaining ground from day to day. The *Salágama* caste headmen lost their official positions with the abolition of the *Mahabadda* under the reforms of 1832.

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52) Resolution, 15 March 1800, Madras Revenue Proceedings, India Office, Range 274, vol.78

53) John Walbeoff to Colebrooke, 5 Maya 1829; C.o.416,5 B 5

54) According to the census report of 1824 the population of the four major castes in the maritime provinces of the south western coast was as follows.

Goyigama	**Karáva**	**Salágama**	**Duráva**
181943	50364	26098	16336

55) Mudaliyar Division of Mahabadda was

1. Welisara
2. Mutwal
3. Kaluwa Modara
4. Welitara
5. Dadalla
6. Ruhuna

56) Blue Book 1830 carried the names of 6 Mudaliyars, 1 Mahavidane Mudaliyar, 1 Mohotti Mudaliyar, 14 Muhandirams and a host of petty headman

57) John Walbeoff to Colebrooke, 5 May 1829; C.o.416,5,B5

58) Horton to Stanley, 23 November 1833; C.o.54, 131 No.

The other caste which had a Mudaliyar of their own in the Maritime provinces was the washers. The *Karáva* caste though numerically second only to the *Goyigamas* in the lowlands had lost their last Mudaliyarship in 1831 with the retirement of Thomas de Andrado Aresekulasooriya Wijeyaratne but had *Mahavidánes* posted at the main centres of their habitation such as Dandagama, Negombo, Galkissa, Kalutara, Ambalangoda, Galle, Talpe, Weligame, Matara and Tangalle. The *Duráva* caste had two Muhandirums in 1833. The *Navandanna* caste had *Maha Vidanes* for Silver Smiths. Black Smiths and Goldsmiths while the barbers had a *Vidáne* Muhandirum and the tom-tom beaters a Vidáne in 1833.

The reforms of 1832-1835 marked another landmark in the ascendancy of the *Goyigama* caste for "high" official position and status. Under the new setup they not only monopolized the territorial headmanships but also had positions in the new institutions of administration such as those of legislative councillor. Assessor juror and a few higher positions available to the Ceylonese in the judiciary. The repeated selection for appointments from the same families for the vacancies in these services and the official patronage extended to them tended to encourage the awareness of a "first class" status assumed by a few Mudaliyar families who had been in office from Dutch times.

This situation arose inspite of the instructions given by the Secretary of State for the Colonies Viscount Goderich to Governor Horton to give preference in filling vacancies to qualified and faithful servants, who would get displaced on account of the abolition of *rájakáriya* and certain monopolies [59].some of the displaced *Lékams* who had served the Kandyan monarch and who opted to continue in service were appointed to the *Raté Mahatmaya* vacancies in the Kandyan areas [60]. Some of the *Karáva* headmen were appointed to serve under the Assistant Collectors of Customs to prevent smuggling thereby assigning them a new role. Most of the displaced headmen were given a nominal retiring allowances and the right to use the existing designation and titles during their lifetime.

However it is very clear that neither the Governer nor the high officials ever took into serious consideration the claim of duty qualified officials other than those of the *Goyigama* caste. A clear example of such non-consideration is seen in the appointment of a Mudaliyar

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59) Goderich to Horton, 23 March 1833; C.O.55, 74 No.114

60) Horton to Goderich , 20 May 1833; C.O.54, 128 No.88

to Wellabodapattu of the Galle district in 1834. The majority of the population in the district belonged to the *Salágama* caste which provided the largest number of peelers to the *Mahabadda*. The *Karáva* caste was the second highest forming 20% of the population while the *Goyigama* caste inhabitants were confined to a few scattered villages. Under the former setup the *Salágama* caste inhabitants had been under Mudaliyar Thedoris Mendis Wijayasiriwardane Wickramasinghe who had a service record of thirty six years .when it came to the appointment of a territorial mudaliyar in 1834 his claims were set aside by the brother of the Governor, who happened to be the Government Agent for the southern province M. Wilmot in favour of Don P.F.A.W. Obeysekera an inexperienced youth .The younger brother of the Atapattu Mudaliya of the Kachcheri [61] .this was the begining of a practice of appointing the relatives and favourites of Atapattu Mudaliyars to korale Mudaliyarships which was followed except in a few isolated instances through-out the nineteenth century.

The claim to "first class" exclusive status made by the Mudaliyar "class" received the first blow in 1843. when the qualifications required for the selection as jurors were considered in the Legislative Council on 21 September 1843. The Burgher lawyer Richard F. Morgan appeared in defending the claims of *Karáva* and other caste petitioners. Who appealed for the abandonment of the caste and class distinctions in the selection of jurors, while James Stewart appeared to defend the claims of the "first class" *Goyigamas* who submitted a protest memorial through their representative in the Legislative Council J.C. Dias.[62]

The immediate problem had its, roots in the recent past. The rules for the empanelling of jurors first made by the judges of the Supreme Court on 30 October 1812 referred to "men of good character. Citizens of 21 years and free birth" [63] as being eligible for such appointments. But when lists of jurors were prepared by the headmen on behalf of the fiscals of the area they abided by caste class and race distinctions. Thus in the Sinhala area separate jurors lists were prepared under first class and second class *Goyigamas*. First class and second class of *Salágamas* separate lists were made for *Karávas*. *Durávas*. Chetties. Moors, Burghers and Europeans In the Tamil areas lists were prepared under first class *Vellála*. *Madappales*. Brahmins. *Carreas* and Moors [64]. This was the time when distinctions of castes was considered legal before the judicial tribunals in Sri Lanka,

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61) Petition of the Native chiefs of Mahabadda to Mackenzie N.D. March 1841; *Siri Lak Indo Studies*, vol.3, 1977, pp. 62 – 70

62) Campbell to Stanley, 7 January 1845; C.o. 54, 216, No.4

63) Charles Marshall's evidence before the Commissioner, 30 March 1830; C.o.416,17,F.42

64) Sir Hardinge Giffard to Colebrooke, 11 April 1829; C.O.416,14,F23

while the Supreme Court judges had overlooked it in drawing up the rules of court. Subsequently when difficulties arose the practice begun by a rule of court of 11 August 1815 of summoning jurors from a list of most respectable and best educated Burghers as a special jury [65].Under ordinary circumstances the judges preferred the "first class" *Goyigama* jurors as this list contained the leading officiating headmen. Two thirds of the cases tried up to 1839 were decided with such juries [66].besides jurors from the *Duráva*, *Hunu*, and *Wahumpura* castes were never summoned.[67]The "first class" *Goyigama* jurors refused to sit with the other castes in adjudication. But, sat with the Burghers which they considered as an honour.[68] Thus the Supreme Court had unintentionally and unwittingly encouraged the claim of the "first class" *Goyigama* caste to maintain before the law an exclusive distinction which had hitherto existed only in the private walks of life.[69]

Thus "first class"list frequently used by the judges in the selection of jurors contained the names of 120 persons interrelated to eight or nine families and according to Morgan "interspersed with a father here and a son there".[70] they finally acted as a family tribunal consisting of young relatives acting under the guidance of one or two elders.[71] the judges had noted the jurors questioning the witnesses and parties on matters not appearing in evidence with a full previous knowledge and bias.[72] Thus it is evident that the hope of the jury system exercising a valuable educational influence over the masses by promoting a regard for justice and truth seems to have been effaced by the "clique" behavior of the headmen.

The Legislative Council finally decided to do away with the distinction of caste and inspite of the opposition from the judges ordinance No. 19 of 1844 was enacted to define the qualifications of the jurors [73].

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65) Charles Marshall to Commissioner, 30 March 1830; C.O.416,17,F42

66) Ogell Carr to Marshall on Charter reforms, 1 January 1839; Scottish Record office(S.R.O) G.D.46,7,9

67) Ottley, Answer to Question No.204,2 January 1830;C.O.416,16,F41

68) Charles Marshall to Commissioner, 30 March 1830; C.O.416,17,F42

69) Ottley, Answer to Question No.204,2 January 1830;C.O.416,16,F41

70) Morgan's submission before the Legislative Council,21 September 1843; C.O.54, 216 No.4, Enclosure

71) Ogle Carr's observations on Marshall's remarks on the Charter, 1 January 1839; S.R.O. GD. 46,9,7

72) Ibid

73) Oliphant to Anstruther, 21 May 1844; C.O.54, 216 No.4 Enclosure

The most noteworthy achievement of the reforms of 1832 -1835 was the administrative unification of the island and the establishment of a uniformly graded headmen service open in theory to natives duly qualified irrespective of caste or creed. The Maha Mudaliyar who was also a Mudaliyar of a district was at the head of the system with Korale and Pattu Mudaliyars in the Maritime Provinces, Raté Mahatmayás and *Koralas* in the Kandyan areas. *Adigárs* in the Mannar district. Maniagars in the Jaffna and Batticaloa districts in charge of a territorial unit varying in size but all under the supervision of the Government Agents and Assistant Government Agents. The superior headman were assisted by several subordinate headman up to the village level. The former system of having several headman performing various duties in a village was done away with and a single headman was entrusted with the multifarious duties in the village. The duties and powers of the village headmen were clearly defined and limited. However they were still indispensable to the government in maintaining law and order and carrying out government orders at the village level.

In the first half of the nineteenth century the British government bent on a policy of undermining the powers and privileges of the superior headmen abolished the office of *Adigár Disáve* and Mudaliyar of the Governor's Gate. But during the second half of the century they restored these offices in the form of titular rank and conferred them upon faithful and influential persons [74]. This appears to have been in line with calculated moves to resurrect the nobility against the middle classes who were by this time agitating for constitutional reforms. The faithful *Mudaliyárs* and *Raté Mahatmayás* were employed in minor judicial positions such as those of President of village tribunals, Commissioner of Requests and Police Magistrates .They were identified as men of social standing high repute and of long experience [75].

Governer Gordon even suggested the creation of a Superior grade of headmen to function as assistants to Government Agents in the most important agencies and for outdoor work. [76]

However, these coveted appointments were now almost totally monopolized by high ranking families of the *Goyigama* caste. In the Kandyan areas the non-*Goyigama* castes were not powerful enough to challenge the he hegemony of the *Goyigama* leadership

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74) De Silva M.U. The Development of Provincial and Local Government Institution in Sri Lanka 1833-1872, unpublished PhD thesis 1976, Kelaniya, pp 186-188

75) Havelock to Knutford, 18 May 1891; C.O.54, 587 No.144, No. 190

76) Gordon to Knutsford, 7 May 1890; C.O.54, 587 No 144

of the *Raté Mahatmayás* under the "benevolent despotism" of the Government Agents Percival, Dyke and Twynam, who between them jointly controlled the Nothern province almost throughout the nineteenth century, a serious challenge to *Vellála* leadership never arose. But the situation was different in the West and South West Coastland where important families belonging to *Karáva, Salágama* and *Duráva* castes were economically and socially equal or even more powerful than traditional high minded *Goyigama* families. However, the social changes brought about due to westernization, modernization and capitalist development were uneven. Certain families of the *Karáva* caste who had benefited during the period of Dutch rule in acquiring technical and commercial knowledge were the first major group to migrate to the Kandyan areas and take full advantage in the servicing activities associated with the plantation industry and in the industry itself. The *Salágama* caste, which had benefited immensely from the Dutch and elevated into a privileged group by being associated in the *Mahabadda* were free from the *rájakáriya* service only after 1832 to engage themselves in other activities including plantation and allied industries. However, by that time a large member of the *Karáva* caste were well established in this respect. Persons of the *Duráva* caste absorbed in the rapidly expanding educational activities as school masters and also in trade and industry. Thus the rapid expanding economy and education brought a considerable number of economically powerful and educationally qualified persons outside the *Goyigama* caste. The former saw with envy the prestigious positions in the government services open to the native inhabitants being monopolized by the *Goyigama* caste.

Whenever, a vacancy occurred in the headmanship held by a *Goyigama* in the maritime provinces a number of applicants came forward from the other castes who often had higher qualifications and possessed greater wealth. However, the British civil servants used their casting vote on a son, brother or a nephew of the retiring headman. Thus the monopolistic hold of the *Goyigama* caste continued. Only a few government Agents returned to make their selections outside the chosen group.

In 1845 the Government Agent of the Western Province P.E. Woodhouse alluding to the long signified wish of the government to appoint duly qualified men of other castes to Korale Mudaliyarships and suggested Manuel de Fonseka, a *Karáva* caste headman as the Mudaliyar of Raigam Korale and Kalutara.[77] His attempt to appoint him was however, frustrated due to the objections raised by the Colonial Secretary. But in 1846 he managed

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77) Woodhouse to Anstruther, 25 January 1845; National Archives of Sri Lanka (NASL) 33, 93 No. 55 (old)

to appoint Joseph Mendis, a *Karáva* caste headmen as the Mudaliyar of Aluthkurukorale Northern division. [78] In 1853 Layard the Government Agent of the Western Province, separated the Panadura, Kalutara, Totamune area predominantly resided by the *Karáva* caste from the original Raigam Korale and Panadura, Kalutara Totamuna Mudaliyar division and appointed Manuel de Fonseka, the unsuccessful candidate of 1845 as the Mudaliyar of the new division. [79] In submitting the arrangement for government approval Layard sought permission to deviate from the hitherto followed "class" appointments. In an inquiry from the Colonial Secretary as to what Layard meant by "class", the latter reminded the former of the resolution of the government in 1833 to discourage caste distinctions. He remarked that the "public" departments have been already opened to all, a common arena of distinction, and while we have two gentlemen, not *Vellálas* in the important office of Modliars [sic.] of Districts the impartiality of government is vindicated, beyond what could be affected by the gratification of any desire on the part of individuals for exclusive privileges. [80]

These appointments in the Mudaliyar service brought to surface many objections from the *Goyigama* mudaliyars who assumed it as an exclusive right belonging to them and expressed the view that the pursuance of a different policy would endanger social stability. In subsequent time *Karáva* and *Salágama* caste persons were occasionally appointed as Mudaliyars to a few administrative divisions around the West and South West coast where they were numerically strong and when their claims could not have been openly set aside. Outside this narrow strip of land, the *Goyigama* caste enjoyed the monopoly uninterrupted, occasionally a low country *Goyigama* caste person was appointed to a Kandyan division. [81]

The most influential and respected position among the headmen, the Maha Mudaliyarship was at no time since 1833 conferred on a non-*Goyigama* caste person. It remained the monopoly of the de Sáram family and famed on to their relatives by marriage with the Dias family. The repeated conferment of this high post on members of the same family which also held many regional appointments, and the association of the Maha Mudaliyar with the higher British officers in the administrative service in ceremonial occasions

78) Woodhouse to Tennent, 19 August 1846; S.L.N.A. 33, 3156 No 365 (old)

79) Leyard to Maccarthy, 30 May 1853; S.L.N.A. 33, 3151 No 280 (old)

80) Layard to MacCarthy, 4 July 1853; SLNA.8,51, No.349

81) Simon Kuruppu of the *Goyigama* caste from Panadura was appointed to Kolonna and Atakalan Korale *Raté Mahatmayaship*, was very popular among his subjects. Robinson to Kimberley, 1 April 1872; C.O.54,475, No.26

tended to elevate his social position giving the post a new identity. For instance on the occasion of Queen Victorias' jubilee memorial celeberations in 1888. Maha Mudaliyar Dias Bandaranaike sat with Governor Gordon inside the official vehicle while two prominent civil servants sat outside the carriage in the ceremonial procession. This was highly acclaimed by the native press as a triumph for the Maha Mudaliyar.[82]

The official patronage extended to the *Govigama* caste nobility is very well reflected in the appointment to the *Maha Mudaliship*. In 1833, there were four Maha Mudaliyars, but from 1849 the decision was taken to appoint only one Maha Mudaliyar at a time. The Maha Mudaliyar was also the chief interpreter to the Governor on ceremonial occasions. A good knowledge of the English language and high birth were considered vital qualifications for the post; the latter taking higher precedence. For instance, Governor MacCarthy, who had been a civil servant in the Island since 1846, appointed I. V. de Sáram, the brother of retiring Maha Mudaliyar Ernest de Sáram as the Maha Mudaliyar in 1862, inspite of his poor knowledge of English[83] to function as the Chief Interpreter on ceremonial occasions Louis de Zoysa, of the *Salágama*, caste, the Mudaliyar of Bentota, an area predominantly of *Goyigama* caste people was appointed to the post of Chief Interpreter. This new post was attached to the Colonial Secretary's Office. Though de Zoysa was the most prominent scholar of the time, the Governor thought that he may not "command the respect of the people as a Maha Mudaliyar. [84] The official remuneration of the Maha Mudaliyar post was divided among the two persons, the Maha Mudaliyar now drawing £ 130 per annum and the Chief Interpreter drawing £ 120with the revision of the salaries of the clerical service by ordinance No. 14 of 1864, the Chief Interpreter's salary was raised to £ 180 per annum. This raised the issue of lowering the estimation of the Maha Mudaliyar's post in the eyes of the native[85] people. However, with the death of the Maha Mudaliyar in 1865, and appointment of I. A. Perera who was competent in English as the Maha Mudaliyar and the Chief Interpreter to the Governor the crisis was overcome, Louis de Zoysa was permanently attached to the Colonial Secretary's Office.[86] In recognition of his great talent, faithful service and literary excellence, Governor Governor Longdon conferred on him the title of honorary Maha Mudaliyar in 1879. [87] When he died in 1884,

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82) Examiner, 1 July 1888

83) Terrance O'Brien to New Castle, 14 December 1863; C.O 54,399 No.12

84) Ibid

85) Terrance O'Brien to Cardwell, 16 January 1865; C.O 54,400 No.12

86) Terrance O'Brien to Cardwell, 30 March 1865; C.O 54,402 No.66

87) Longdon to Derby,23 October 1879; C.O.54, No.424

it was found that he had spent his time and wealth on literary pursuits, having neglected his private income, Governor Gordon granted his wife and children an allowance for five years. [88]

The reforms of 1832-35 opened up a base for the *Goyigama* aristocracy to stabilize a political partnership with the government in addition to headmen appointments. The unofficial membership in the legislative council, the permanent Assessorship in the District Courts occasional appointments as District judge, Police Magistrates, Commissioners, of Request and Prison judges in the Supreme Court made this partnership even more closer.

Governor Horton claimed that he could not find suitable persons to be appointed as unofficial members to the Legislative Council outside the government service and remarked that any such selection would not serve the purpose in view and also would not carry "weight or influence over the countrymen" but would only degrade the Council in the eyes of the public. [89] Above all he regreted to see any native member admitted to the Council of the second Maha Mudaliyar A.de Saram rated by him as "one of the first representatives" of the country was excluded. [90] Horton, secured the approval of the Colonial office to appoint government servants on a retired allowance as unofficial member, and later appointed as Sinhalese and Tamil unofficial members John Godrige Philip, the interpreter Mudaliyar of the District Coutr of Colombo and Arumugam-pillai Coomaraswamy, the Tamil Interpreter to the Governor.[91] These appointments, were overwhelmingly approved by the Maha Mudaliyar and a deputation of over 400 leading headmen also presented the Governor with a letter of appreciation of his stay containing the signatures of 24384 persons. [92]

The Coomaraswamy family held the monopoly of the non-official seat for the Tamils till 1898 with a brief interlude of two years in 1844-45 when the seat was occupied by Simon Casie Chetty.

The Sinhalese seat was held till 1920 by Philips's family popularly known as the "Dias Obesekara"family except for a period 1888-95 during which period A de Alwis Seneviratne functioned as the unofficial member. The selection of members from these two families

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88) Gordon to Holland, 27 June 1887; C.O.54, 571, No.271

89) Horton to Stanley, 8 March 1834; C.O.54, 134, No.42

90) Ibid

91) Horton to Glenley, 29 June 1836; SLNA 5, 23 No.99

92) Horton to Stanley, 11 February 1836; C.O.54, 150 No.35

was not effectually challenged till the eighteen seventies. The challenge came up from the emerging elites who were on the upward move propelled by the prices of westernization and rapidly developing capitalism. Their agitation for reform of the council and their early political mobilization emanated primarily as a reaction to the limitations imposed by the political system on representation of other castes in the Council, the dominance of social and political life by a few *Goyigama* families and the difficulties in procuring government offices which had by now become the chief as well as the most desired avenue of employment carrying social status.

The first note worthy challenge for the Sinhala Seat in the Legislative Council came in 1878 and for the Tamil seat in 1877. In 1878, William Gunatilake, a *Goyigama* caste scholar and a lawyer outside the favoured *Goyigama* family circle unsuccessfully presented himself as a candidate by sending a memorandum signed by many thousands of prominent natives requesting the Governor to appoint him for the vacant seat. In 1877, Susintharaja, a Tamil Christian lawyer, presented himself likewise for the Tamil seat. The challenge became strong in 1881 when two outstanding *Karáva* caste lawyers S. R. Fonseka and G. A. Dharmaratne presented themselves for nomination backed by a section of the press, memoranda and public meetings. In 1888, Walter Perera, a *Duráva* caste lawyer, T. E. de Sampayo of the *Navandanna* caste, James Peiris and Jeronis Peiris of the *Karáva* caste presented themselves for nomination. In 1895 James Peiris and Marcus Fernando of the *Karáva* caste came forward for selection. Likewise in 1879, E. Britto, presented himself to the Tamil seat while in 1892 Britto, *Thampo,* and Susithraja presented themselves for recognition and nomination. However, the Governors went all out to defend the rights of their favourite families except in 1888 and 1898. In 1888, the case of A de Alwis Seneviratne, a *Goyigama* caste outside the favoured groups was recognized due to the pressure exerted by the Archdeacon and in 1898, Dr. W.G. Rockwood, an eminent medical officer of the *Koviar* caste was appointed for the Tamils. The Governors recognized the rights of honouring the claims of the exclusive families because of loyalty and high social status.[93]

The *Goyigama* leadership was further strengthered in 1889 when the Kandyan member for the enlarged legislative council was selected from the officiating Raté Mahatmaya of the *Radala* subcaste of the *Goyigama* caste. [94]

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93) Overland Examiner, 9 April 1881.

94) Gordon to Knutsford, 18 February 1890; C.O.54, 586 No.65

Under the contemporary circumstances wealth meant little without social rewards and it was through the institution connected with the government that this wealth could be legitimized. The emerging social groups advocated a fair recognition of their knowledge of politics and public affairs. [95] They presented themselves as youth educated in England or locally in higher educational institutions who were familiar with the British and European political institutions and leading a pioneering movement against the "tyanny" of the rulers. They agitated for the repeal of the grain tax, the duty on imported rice, withdrawal of the military contribution, provisions in the Gemming ordinance and engaged themselves in the controversies over the extension of railways and the non- employment in the Civil service. In the famous *Karâ-Goyi* contest [96]. Dharmaratne requested the Colonial Secretary to allocate a separate seat for the *Karáva* caste because of the leading role which they played in the economy of the country. [97]

Public meetings became a common feature of carrying out propaganda since 1894. The object of these meeting was made known to the Governor in the form of memoranda signed by the participants. Signatures were colleted from the inhabitant, in support of each of the candidates. However, the "exclusives" were able to collect more signatures than the emerging elites as they had the support of the headman who finally collected them at the village level. [98] 52 such memoranda were received by Governor Havelock in 1892 on behalf of the candidates of the Tamil seat. The Governor reported to the Colonial office that he did not think it any safe or certain conclusion can be drawn from this form of expression of the wishes of the Tamil community. [99]

On the other hand the "exclusives" pinpointed the importance of a benevolent government at a time when the ordinary people were unconcerned of politics, and questioned the right of the few lawyers, plumb ago merchants and the coconut planter to represent the

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95) Ceylon Review, vol. 111 1884, pp 18-25

96) Kara-Goi contest was a Document submitted in 1890 to the House of Commons by G.A.Dharmarathna on behalf of the *Karáva* caste on the allged ill treatment by the *Goyigama* caste headmen with the support of the officials.

97) Karâ- Goi contest, p.64

98) In 1905 Obeyesekara, held 29 meetings and collected 59078 signatures while James Peiris held 22 meetings and collected 26965 signatures.
Blake to Lyttleton, 5 April 1905; C.O54, 693 No.138

99) Havelock to Ripon, 12 December 1892; C.O 54,604, No.466

wishes of the wishes of the masses [100] They assumed that it was a hereditary right of their families to enjoy the legislative honours. [101]

At the turn of the century the media paid special attention to the council reforms. The *Ceylon Standard* started by the *Karáva* caste leaders in 1898 became the most forceful propaganda media for the constitutional reforms. It kept a close vigilance over the instances of caste discrimination by the headmen and the government officials and advocated wide representation and franchise. [102] The *Ceylon Independent* in alliance with the "exclusives" took a conservative line and attacked the reformists.

When the *Karáva*, *Duráva*, and *Navandanna* caste leaders, were attacking the *Goyigama* caste hegemony the *Salágama* caste kept aloof from the struggle. When they were putting forward caste claims based on origin stories in the latter part of the nineteenth century and demanding equal rights and recognition on liberal western ideologies, the *Salágama* caste leaders appeared to be tilting towards the *Goyigama* caste as it could conserve the position they already thought to possess. The *Salágama* claim for superior status and their competition for material advancement were both unpalatable and unacceptable to the *Karáva* caste. The *Salágama* could approach the *Goyigama* "without a sense of degradation" [103]. This clearly surfaced in the campaign for the election of an educated Ceylonese member to the early reformed Legislative Council of 1911. The *Salágama* caste leaders supported the candidature of Ponnambalam Ramanathan with the *Goyigama* "exclusives" against the *Karáva* candidate Marcus Fernando who was backed by the other castes.

The avenues opened in the judicial establishment during the nineteenth century also became a new monopoly of the *Goyigama* caste as in the case with regard to the selection of unofficial council members. However, Horton claimed that he could not select suitable persons for the appointment as permanent Assessors in the District Courts outside the government service. He was of opinion that if a permanent Assecessor was chosen from an "inferior" caste no person of "superior" caste could be induced to perform the duty

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100) *Ceylon Independent*, 20 June 1909
101) *Overland Examiner*, 9 April 1881
102) *Ceylon Standard*, 22 March 1898
103) *Ceylon Standard*, 8 February 1905

of Assessor. [104] Therefore, he appointed all the permanent Assessors in the Sinhala areas from the *Goyigama* caste and in the Tamil areas from the *Vellála* caste which continued during the century.

A few judicial appointments were made available to the Ceylonese due to the inability of the government to recruit legally qualified British personnel on the prevailing unattractive service conditions and salaries. In the first three decades of the nineteenth century some sitting Magistrates were recruited from the Burgher community. After Cameron reforms of 1833, some of the offices of the Queen's Advocate Department, later called the Attorney General's Department and later in the Solicitor General's Department was opened to the legally qualified natives. At the same time legal education became a popular field for the emerging westernized families. For them a judicial position in the government service became very attractive because of the prestige and reputation which it carried before the native inhabitants. Many leading native lawyers served in the Queen's Advocate Department from its inception and later in the Solicitor General's Department. However, the higher authorities did not favour the idea of filling these posts entirely from among the Ceylonese. In 1872, Governor Gregory stressed the absolute necessity of filling the Queen's Advocate or the Deputy Queen's Advocate posts from persons recruited in England. [105] This was the policy which was followed even in the nineteenth century.

The rapid expansion of commercial activities and navigation brought about many intricate law suits, before the District Court No. 1 of Colombo, which an ordinary civil service judge could not easily handle. Therefore, in 1840, Robert Lang slow, a British qualified lawyer with colonial judicial experience was appointed as the District judge of Colombo. However, he had to leave the service soon due to a controversy over the salary and alleged misuse of judicial power. [106] Meanwhile the local bar pressed for the recognition of the claims of qualified native lawyers for judicial appointments and viewed the District Judgeship of Colombo as the first step. [107] in 1856 the Colonial office permitted the appointment of a competent person from the local bar as the District Judge of Colombo and from 1872 it was extended to the District Judgeship of Kandy as well. Appointment to these posts were limited either to *Goyigama* lawyers or to the Burghers.

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104) Horton to Stanley, 28 August 1834; C.O.54, 135 No.85

105) Gregory to Kimberley, 29 August 1872; C.O.54, 477 confidential

106) Campbell to Stanley, 23 December 1843; S.L.N.A.5, 30 No.236

107) Digby, William, *Forty years of official and unofficial life is an Agriculture colony, being the life of Sir Richard F.Morgan*, vol,11 pp.355-357

Acting appointments for a short period to the puisne judgeship of the Supreme Court was extended to the leading members of the local bar since the second half of the nineteenth century. From 1879, a post of puisne judge was reserved to a Ceylonese. Any appointment of British Civil servants to such a judicial post held by a Ceylonese met strong protest, from the local bar.

However, these very few rewards in the judicial service again became the monopoly of the small circle of families who claimed the "first class" status among the *Govigama* caste. Apart from the few Burgher lawyers such as Sir Richard F. Morgan and Ferdinanders who excelled in the Queen's Advocate and Deputy Queen's advocate positions respectively only P. Ramanathan of the Tamil *Vellála* caste and Henry Dias of the *Goyigama* caste held prominent places in the judicial service. Ramanathan was appointed to the Solicitor General's post when he was serving as the Tamil member of the Legislative Council, by the Secretary of State inspite of the strong objections raised by the Governor, [108] on an application made by Ramanathan to the Secretary of State by passing the Governor. Henry Dias, the controversial figure in the caste controversy who refused the

District judgeship of Kandy was appointed as the second Puisne Judge in 1879 after a few acting periods and retired at the age of 70 years in 1892 partly under compulsion for inefficiency and was knighted at his retirement. [109] Though unmarried he was the virtual head of a family of "exclusive" the favourite of Governor Gordon whom he commended as a "character without stain"[110] However, according to Gordon's successor "neither the Bar nor the public had any confidence in his decisions as they ought to have" [111] during the last phase of his service. The colonial office minuted that Governor Gordon extended his patronage to the Dias family to the extent of incurring the active hostility of the leading families of the other castes like that of de Soysas.[112]

Gordon began the practice of appointing Mudaliyars to acting judicial appointments in the civil service as Commissioners of Request, and Police Magistrates claiming the credit of "giving a fair chance to the Ceylonese who were unjustly been excluded a fair share of the

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108) Governor Havelock objected to his request stating that " he knows no law" and pinpointed the need of the day for the appointment of a duly qualified person from England. Havelock to Rippon, 1 November 1892; C.O.54, 604 confidential.

109) Havelock to Knutsford, 22 September 1891, C.O.54, 596, confidential

110) Gordon to Knutsford, 25 October 1887, C.O.54, 575, confidential

111) Havelock to Knutsford, 7 June 1891, C.O.54, 594, confidential

112) Minutes on Havelocks confidential dispatch of 7 June 1891, C.O.54, 594

government". [113] He also argued that his scheme made available the services of the most deserving honest competent men with experience for the government. But it is worthy of note that all his zealous public servants were drawn from the *Goyigama* "aristocracy" None of the Governors found "talents" zealousness" and "influence" in the up and wealthy intellectuals belonging to the *Karáva, Duráva, Salágama* and *Navandanna* caste; or even of the less privileged families of the *Goyigama* caste. To mention a few names, a lawyer by profession and a son of a Mudaliyar of the *Navandanna* caste T.E. de Samapayo and George Alexander Dharmaratne (the son of a Buddhist priest publicly **disrobed** under the influence of Alexender Johnstone, the Chief Justice, the Colonial Chaplain, the brother of Governor Brownrigg) who qualified as a Barrister of the Inner Temple after a successful career as a locally qualified proctor, James Peiris, who held a double first from Cambridge University. Susev de Soysa, one of the first recipients of the University Scholarship, all of the *Karáva* caste were not considered suitable inspite of their repeated requests for such judicial appointments. It is thus clear that the Governors extended their patronage only to an exclusive group of Kandyan and low country *Goyigama* families.[114]

After several unsuccessful attempts, for a District judgeship or a Puisne judgeship in the Colony and once for a judicial appointment outside the island in one of the British colonies, Dharmaratne in one of his applications accused the government stating that his claims were repeatedly overlooked as he belonged to the *Karáva* caste. [115] He alleged that "the shrewd men of other castes had alone the ears of Her Majesty's representatives that the people of *Karáva* caste were low people unworthy of high preferment".[116] He also alleged that none of the *Karáva* caste,

however educated and wealthy, lad the privilege of being the Maha Mudaliyar or a Kachcheri Mudaliyar and that only two out of sixty paid native chiefs were of the *Karáva* caste-even though the people of this caste raised the largest share of the revenue of the state.[117]

When Dharmaratne brought forward such glaring accusations of caste favouritism, the colonial office expected a recommendation on his candidature which the governor had so far failed to send along with his applications. The Colonial office also accepted the

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113) Gordon to Knutsford, 7 May 1890, C.O.54, 587, No. 144

114) Gordon to Knutsford, 14 August 1889, C.O.54, 583, No. 325 Enclosure

115) Havelock to Knutsford, 1 November1891, C.O.54, 597, No. 412 Enclosure

116) Ibid

117) Ibid

position that there was a good deal of truth in his statement and that Havelock may recommend more substantial promotion to some of these hither to "out caste" natives before long.[118] Havelock was only tempted to recommend the conferment of the title of "Lady" on the widow of Charles de Soysa, and found Dharmaratne suitable for a post of Police Magistrate.[119] The Colonial Office was satisfied with the minute that it could not go beyond the Governor's distinct statement. [120] But it was not the case when the same Governor found Ramanathan "knew no law" [121] Yet he was appointed the Solicitor General of the Colony. On the other hand Reginald Felix Dias, a half brother of S.C. Obeysekara was appointed the Commissioner of Requests and Police Magistrte at Gampola in 1889 within two years of his admission to the Bar.[122]

The net result of this patronage extended to a section of the population in an era of changing fortunes was the formation of a strong clique connected with the judiciary and claiming high social status which tended to weaken the judicial administration. [123] Accusations were rampant in the local press on the "Badabedda Riots" case where allegations of the misuse of official power by Ramanathan on behalf of this nephew was highlighted. The case was heard by Felix Dias and the *"Native Opinion"* a local paper reported thus:

"The racial and family ties are so strong in Ceylon, that when a conflict arises between important patronages or hostile sector caste or class, it is almost impossible for native judges, such as those who are selected by the local government through favoritism, to approach the question without prejudice or prepossession. Men of authority or influential persons can pull the string so skillfully when their interests are concerned as to defeat the ends of justice completely"[124]

In 1899- 1900 charges of unprofessional conduct and dishonesty were leveled against Ramanathan of which he was exonerated, but it was decided not to promote him, and later he was forced to retire from the post of Soliciter General. [125] The alliance between the *Vellála*

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118) Colonial office minutes on Havelocks dispatch No.412 of 1 November 1891;C.O.54,597

119) Havelock to Knutsford, 28 August 1892, C.O.54, 602, confidential

120) Minutes on dispatch confidential of 28 August 1892; C.O.54, 602,

121) Havelock to Rippon, 1 November 1892, C.O.54, 604, confidential

122) Havelock to Rippon, 10 January 1893; C.O.54, 606, No.9

123) Clarence L.B.Administration of Justice in Ceylon, *Law Quarterly Review*, January 1886

124) Ceylon Native Openion, 4 February 1899.

125) Colonial office minutes of Cox and Governor Ridgeway: confidential dispatch of 3 March 1905; C.O.54, 693.

and the *Goyigama* "aristocracy" was openly displayed in the election campaign for the educated Ceylonese seat in the Legislative Council in 1911 when Ramanathan contested Marcus Fernando, and the former was supported by both *Vellálas* and *Goyigamas*.

Occasionally complaints of favoritism and caste bias in appointments, reached the colonial office, but rarely reached the Secretary of State. The under Secretaries dealing with matters relating to the island were aware of these developments and occasionally noted them in official minutes. Within the Colonial office the structure and processes were largely informal, customary and implicit. The permanent staff had its, ways of managing the flow of business and the influencing and shaping of day to day matters. The Secretary of State had to rely on the advice of the permenent staff and note the conflicting or contradictory signals from the field.[126]

The caste discrimination about which there were constant allegations reached its, height during the last years of Gordon's tenure of office when *Karáva, Duráwa* and *Salágama* castes jointly petitioned the House of Commons in 1889. [127] They alleged that distinctions of rank and high offices were not conferred upon the persons of castes other than the *Goyigama*, dwelt upon the refusal of the Director of Public Instruction to admit trainees other than *Goyigamas*, unwillingness of the Government Agents to confer offices on persons of non *Goyigama* caste and the uncontrolled publication of anonymous pamphlets of a defamatory character against influential persons of the *non- Goyigama* castes.[128]

When this petition was referred to the Governor for his observation he identified the signatories as "Carters – tom-tom beaters and Devil dancers".[129] An aristocratic to his finger tips,[130] according to a recent observer, Gordon closely associated with the "aristocracy" of the country. Dias Bandaranaike Ekneligoda, Ellawala and Panabokke, often toured the Kandyan and Sabaragamuwa areas receiving the warm greetings and hospitality of the Mudaliyars, Disáves and *Raté Mahatmayas*. [131] Unlike the early British

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126) Roberts L and Barrier W.G., ed. *British Colonial Policy in India and Sri lanka*,1858-1912, pp.2-3

127) Karáva, Duráwa and *Salágama* caste petition No.1863, Bell collection of caste pamphlets, Colombo Museum 24F,23

128) Ibid

129) Horton to Knutsford, 3 August 1889; C.O.54, 583, No.312

130) Wcinman *Legislatures of Ceylon*, p.51

131) Gordon Diaries September 1888 Stanmore papers, British Museum B.R. 49265

Governors who tried to break up the Kandyan identity by opening up the Kandyan areas, Gordon attempted to rejuvenate the, pride of the Kandyan 'aristocracy' by reviving the former offices of Disáva and Adigar as titular ranks and conferring them on loyal Chieftains. He insisted that they wore the traditional dress at official functions. He also created two new provinces in the traditional Kandyan areas, the Province of Uva in 1886, [132] and Sabaragamuwa in 1889. [133] The official declaration of these two provinces were made amidst colourful gatherings in the newly created administrative headquarters reminding them of the glamour of their feudal past. The chiefs were given the opportunity of participating in the occasion by reading out the Sinhala copy of the declarations indicating the new demarcations at different quarters of the town while being on the back of elephants amidst tom-tom beating. He made these occasions durbars on a small scale.

Gordon with his previous experience of Colonial Office administration ignored to a certain extent its directive in order to carry-out his plans. When officers went on leave of absence he appointed his hand-picked favourites outside the civil service to act in their positions. However, his selections were limited to the group of families and were assuming the role of "exclusives" at a time when their position was seriously been challenged by the emerging intellectuals and the wealthy. He argued that the attainments expected in the qualifying examination for recruitment to the Civil Service was impossible for the native inhabitants to achive and tended to a virtual closure of the service to the Ceylonese. [134] On the strength of this argument and on the pretext of giving the most deserving talent an opportunity to serve the government he appointed at least 14 local notables to act in vacant positions in the Civil Service. [135] When the Colonial Office advised the Governor to bring forth a scheme to employ more natives he delayed the matter till his last year of service in Sri Lanka and submitted the scheme only in broad outline. [136] He proposed to create a few new appointments in the form of native headmen of Superior grade with the Governor selecting them from among the influential *Raté Mahatmayas*, Mudaliyars and village Tribunal Presidents. [137]

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132) Gordon to Stanley, 13 February 1886; C.O.54,563, No. 68

133) Gordon to Knutsford, 26 February 1889; C.O.54,583, No. 88

134) Gordon to Knutsford, 7 May 1890; C.O.54,587, No. 144

135) Colonial office minute on Gordon's Dispatch No. 287 of 27 July 1886, C.O.54,565

136) Gordon to Knutsford, 7 May 1890; C.O.54,583, No. 88

137) Ibid

During Gordon's governorship he appointed at least five Police Magistrates and Commissioners of Requests selected from the *Goyigama* caste. It is said that Governor Gordon was convinced by the publication of '*Nitinigandawa*'[138] which rated the *Goyigama* caste above all other castes. Gordon who appointed at least eleven close relation of the Maha Mudaliyar to the headmen service, among them two sons, a son-in law and a nephew as Korale Mudaliyars, and a son as a Muhandiram. He personally intervened to prevent the dismissal of Maha Mudaliyar's son C.V. Dias from office on a charge of leaving the station without prior permission from the Government Agent at the height of a cholera epidemic.[139] On the other land he ordered the dismissal of Juanis de Silva of the *Karáva* caste, Chief clerk of the Provincial Road Committee Western Province, a semi-government institution on a flimsy charge of giving willful false evidence before a Committee of inquiry and went on to deprive him of his Mudaliyar rank by a special gazette notification. [140] On another occasion he dismissed M.A. Dharmaratne, the Medical Assistant at Kandy on a charge of insubordination when the Principal Civil Medical Officer had merely recommended demoting him from his position. [141] Dharmaratne was the youngest brother of G.A. Dharmaratne, another of the *'Karáva-Goyi'* contest. Both these dismissals were enforced without giving them a chance to defend themselves. When Juanis De Silva complained of the Governor's decision to the Secretary of State, the Colonial Office found the Governor's action "very unwise and somewhat unjust but did not interfere with his decision as it would lead to considerable criticism in the colony. [142]

The joint petition referred to above submitted by the *Karáva*, *Duráva* and *Salágama* castes emerged in a joint effort launched by the non-*Goyigama* castes against the favouritism shown by the Governor to the "exclusive" *Goyigama* families, the non reorganization of the applications of other castes to appointments in the Department of Public Instructions and the Publication of *Nitinignanduwa* under government patronage. A joint meeting of all non-*Goyigama* castes was summoned to the "*Lakminipahana*" office on 12th July, 1885 by M.Dharmaratne and Tambi Appu Gurunnanse of Mt. Lavina to decide upon the course of action to be taken against the attitude of the administrators. However, nothing definite

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139) Peebles, Patrick. *The transformation of a colonial Elite, The Mudliyars of 19th century Ceylon*, (Phd dissertation Chicago 1973) p.312

140) Mac Leod to Derby, 17 July 1885, C.O.54, 560 No.37

141) Havelock to Rippon, 22 March 1893; C.O.54, 607, No 107

142) Colonial office minutes on Mac Leodi dispatch No.37 of 17 July 1885

came out of the meeting as the interests of the assembled groups were not sufficiently identical. [143] These developments took place at the height of academic controversies on the relative status of castes which centered round writings such as *"Itihasa"* by Rev. Weligama Sumangala and *"Nitinigandawa"* edited by Panabokke and La Messurier.

In the realm of educational administration when selecting teachers for school in the Kandyan districts the Director Public Instruction, H.W. Green limited the selections to aspirants from the *Goyigama* castes only and in 1885 turned down the application of a *Durâwa* castes candidate on that ground. [144] In another instance he had limited the recruitment of trainees to the Agricultural School only to *Goyigama* caste applicants. *Ceylon Independent* in its issue on 9 May, 1890, produced a copy of a letter dated 11 November, 1885 from don Martheleus asking the Director of Public Instructions to which castes he should belong to qualify to enter one of the schools. In reply to this Green had stated that he must belong to the *Goyigama* castes. [145]

When the above noted petition to the House of Commons was referred to the Governor for his comments, Gordon identified the school of Agriculture as essentially a school for sons of farmers possessing land who were to be instructed on improvements to paddy cultivation and expressed the hope that the "School will undoubtedly remain for many years to come as essentially a V*ellála* /sic/ institution"[146] On the matter of recruitment of teachers Gordon remarked that he thought that Green had "acted foolishly in assigning that decision as reason against the selection of a low country *Duráva*." [147] He argued that the decision had been reached on the grounds that the Kandyan areas were almost wholly of *Vellála* caste, that caste prejudice still remained strong and that the parents would not accept a *Durava* caste for a *Duráva* is a "Toddy-drawer " one of the lowest of all castes, associated in Village minds with drunken-men and disorder and that the appointment of a *Duráva* as a government teacher in Ceylon would be like making a Board Schoolmaster of the pot-boy of village public house in England"[148]

Whatever the merits or demerits of the picture which the Governor presented on the social system prevailing in the Colony at that time, it is clear that he had been misled to a very

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143) Bell collection of Ceylon Parmphlet, C.M.24F, 2-3

144) Gordon to Knutsford, 3 August 1889; C.O.54, 583, No.312

145) *Ceylon Independent*, 9 May 1890

146) Gordon to Knutford, 3 August 1889; C.O.54,583 No.312

147) Ibid

148) Horton to Knutsford, 3 August 1889; C.O.54, 583 No.312

great degree by his advisers. For instance by 1830 some of the best teachers employed either by the Government or the Missionaries at least in the Maritime Provinces had come from the *Duráva* caste.[149]

With the expansion of educational facilities and missionary activities and the inroads of capitalism the caste feelings among the masses were getting diminished. There were certainly some incidents at the beginning of the century when the caste of the Schoolmaster mattered, but the policy of disregarding caste in school activities tended to weaken the caste consciousness both among students and teachers.

The gradual expansion of higher education brought a greater number of qualified natives who sought employment in the public service, as it perhaps provided the most rewarding field of administrative employment with some amount of social status. It was also a period when the administrative machinery was expanding in response to parallel developments in the economy, increasing population and the increasing need for state intervention in various fields of activities. Meanwhile due to local pressure and better economic conditions the Colonial office was making a half hearted attempt to recruit local talent as junior partners in the Ceylon Civil Service. Thus in response to heavy pressure the Colonial authorities created a subordinate Civil Service in 1893 for the purpose of local recruitment. But due to the manner in which patronage was extended by the higher officials the aspirations of the up and coming intelligentsia were not fulfilled. Thus for instance by 1896 of the thirteen local recruits to the subordinate civil service there were only four Sinhalese and three Tamils, The others being the sons of British civil servants or settlers. The native people thus absorbed were again confined the "recognized" families. Thus in 1901, all the six magistracies held by the locals were drawn from the "first class" *Goyigama* families.

Thus on the whole it is evident that in spite of the bold declaration made by the Colonial Office in 1832 that in future appointments no considerations of caste or creed of the applicant would be taken into account in reality caste considerations of an even worst from continued to prevail even at the turn of the century. Neither wealth nor excellence in academic fields received due consideration in selections to the public service except for

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149) *Durávas* were the first converted christians..... and held more situations under the Ecclesiastical Department in the Dutch time than any other caste. Gregory de Zoysa's oral evidence before Commissioners, 6 September 1830; C.O.416,6,C11

some appointments in the technical departments. Thus there is perhaps no exaggeration in the remarks of the editor of the Review of *Nitiniganduwa* when he stated that "while wealth, Science and general knowledge have been advancing with astonishing rapidity, bigotry, pride and prejudice in a section of our Community have made all the gigantic strides and threaten to overrun all the efforts hitherto made to arrest that progress." [150] The situation thus created in the island seem to be well covered by the Colonial Office Minute in Gordon's reply to the caste petition which recorded that Sir Gordon had rather encouraged than discouraged caste prejudices. [151]

The caste consciousness that was thus taking new dimensions now began to make inroads into the emerging political associations. As early as the eighteen sixties the *Goyigama* caste landholders formed themselves into the Ceylon Agricultural Society following the footsteps of the European controlled Planters Association formed in 1854. The Ceylon Agricultural Association founded in 1882 by the emerging entrepremurial groups headed by C.H. de Soysa to foster native agricultural and traditional plantations transformed it self into Ceylon National Association in 1888 and it forged ahead the political and constitutional reforms movement. It became the vanguard of the Ceylonese political agitation in the late ninetees due to the active role played by Walter Perera of the *Duráva* caste and Charles Peiris and S.R. Fernando of *Karáva* castes. They demanded the recruitment of more natives to the higher rungs of the Civil and administrative services and agitated for the extension of railway, to the South. However, when the leadership passed in to Ramanathan its, vitality died down and the less privileged *Goyigama* caste people with recently acquired wealth and education mixed with the other caste groups in the agitation for reforms which the privileged group of 'exclusives' generally kept aloof from them. Various regional association like the Dodanduwa Association, Moratuwa, Association, Chilaw Association were formed in order to represent matters affecting the regions and castes. The growing caste consciousness and group behaviour in current problems ultimately led to the horizontal mobilization of masses into associations which undoubtedly had an adverse effect on the national politics of the country. Thus, when it came to the election of an educated Ceylonese member to the Legislative Council in 1911, it became an open competition between the *Goyigama Vellála* 'aristocracy' against the *Karáva, Duráva* and *Navandanna* caste leaders.

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150) A review of Nitinghanduwa and the caste system in Ceylon by W.W. 1885, Colombo, Introduction.11

151) Colonial office Minutes of 19 October 1889 on Gordon's Dispatch No.312 of 3 August 1889; C.O.54,583.

PRE COLONIAL CHRISTIANITY IN SRI LANKA

G. P. V. Somaratne

Sri Lanka has been considered to be a Buddhist land from the time of the introduction of Buddhism to the Island in the 3rd century before Christ. There were, however, Hindu influences throughout her history and in the thirteenth century there emerged an independent Hindu Kingdom in the north. These religions did well despite linguistic differences between the two religions. The Buddhist chronicles of Sri Lanka which are commended for recording events accurately have never bothered to record even the existence of any other religion.[1]

Sri Lanka has a proud tradition of historical writings from about the third century before Christ. The Buddhist chroniclers did record events hostile to their religion even when their heroes were humiliated by the enemies. Their information have been found reliable in the light of the archaeological and other evidence. [2]

It is unfortunate that these great chroniclers did not record the existance of other religions in the Sinhalese kingdoms of the ancient era. These writers ignored not only Christians but even the Muslims who made their presence felt from about the seventh century.[3] Similarly, it is interesting to mention here that the *Culvamsa* failed even to mention the arrival of the Portuguese in 1505. They did not mention Portuguese presence in the Island till the seventeenth century, when they were presented as pirates living in the parts of Sri Lanka. [4] The lack of information in the ancient chronicles have made many to believe that

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1. W.Geiger, The Trustworthiness of the Mahavamsa, *Indian Historical* Quarterly Vol.6 No.2, 1930, pp.205-228
2. *Culavamsa*, edited by Wilhelm Geiger, Colombo, 1953, pp.xvi-xxv
3. The Persian ships regularly sailed to the east and to the west from Sri Lanka ports during the seventh and the eighth century. G.F Hourani, *Arab Seafaring in the Indian Ocean , London,* 1951, pp.52-53 B.J. Perera, 'Foreign trade, and commerce of ancient Ceylon' *Ceylon Historical Journal*, Vol.1 No.3.1952, pp.193-204
4. *Culvamsa,* p. 231

Christianity was for the first time, introduced to this country by the Portuguese in the 16th century.[5]

On the other hand several Portuguese writers have tried to find traces of apostolic Christianity in Sri Lanka. They thought that the Island known as Taprobane to the ancient Greeks was the land they called 'Ceylao'[6]. Therefore they collected the information found in the accounts of the early church fathers on the island of Taprobane and tried to take the introduction of Christianity to the Island far back to the apostolic times.[7]

The expansion of Christianity during the Apostolic period was marked by the rapid movements of missionaries to various parts of the then known world.

Christianity spread fast in the Greek speaking world.[8] The Greek traders have been visiting Sri Lanka from the very beginning of the Christian era for the purpose of obtaining the commodities produced in the Island.[9] The archaeological and literary evidence pertaining to this period show that the Greeks were very active in the coastal areas of South India and Sri Lanka during the first and second centuries of our era.[10]

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5. Devendra, D.T. 'The date of the Anuradhapura Cross' *Journal of the Royal Asiatic Society,* (Ceylon Branch) New Series, Vol.V, 1957,pp.85-96.
   The writer is of the opinion that this cross belongs to the sixteenth century after the arrival of the Portuguese to Sir Lanka. In view of the fact that there were similar Persian settlements in the coastal towns in Southeast Asia belonging to the seventh and eighth centuries one cannot accept the view of this writer. W.F. Adeney, The Greeks and Eastern churches, New York, 1928, pp.510-522 H,C.Ray, (ed) *University of Ceylon, History of Ceylon*, Vol.I, pt.1, Colombo, 1959, p.387
6. *Journal of the Royal Asiatic Society, (Ceylon Branch),* Vol.20,No.60 1920, p.80, E.Tennant, Ceylon, Vol.1,1977, pp.10 and 459
7. E.Tennent, *Christianity in Ceylon,* London, 1850, pp.1-4 For a critical description of these accounts see: S.G. Perera, *Historical Sketches*, Colombo, 1962, pp.1-12
8. Stephen, Neill, *A History of Christian Missions, Pelican History of the* church, Vol.6 London, pp.26-60
   B.J. Perera, 'Foreign trade and commerce in Ancient Ceylon I, The Ports of Ancient Ceylon, *The Ceylon Historical Journal,* Vol.1,No.2 1951, pp.109-119
9. *University of Ceylon, History of Ceylon*, Vol.1, p.1, p.225, Wilhelm Geiger, *Culture of Ceylon Medieval Times,* (ed) Heinz Bechert Wiesbaden, 1960, pp.109-109
10. Mortimer Wheeler, *Rome Beyond the imperial Frontiers,* London 1955, pp.153-182

There is no doubt that these traders were helpful to the cause of the missionaries. Some of these traders themselves were active as missionaries in many countries. The Christian community in the neighboring Malabar coast owes its origin to these early missionaries.[11]

The legends collected by the early Portuguese historians regarding the origin of Christianity in Sri Lanka can be put into three main categories. In all these cases we find some personalities of the New Testament connected with the island.

In one story there was a Sri Lankan among the three wise men who visited the manger of the infant Jesus at Bethlehem.[12] He, was, according to this story, a king from Sri Lanka. The later writers have tried to identify this person as a king of Jaffna.[13] This story runs counter to all the information which we find in the works of the early church fathers about these three wise men. These wise men in any case were not kings. In addition there is no truth in the idea that there was a king in Jaffna in the first century A.D.[14]

The second legend says that the foot print on Adam's Peak was that of the Ethiopian eunuch who was baptized by Philip the evangelist of the Acts of the Apostles. This again is a misunderstanding caused by the identification of the Island of Taprobane of the Greek writers.[16] This Taprobane of the early church fathers did not always mean Sri Lanka although that Island was usually known by this name. An island in the Red Sea which most probably was the island of Socotra was also referred to by this name.[17] Since according to Dorotheus of Tyre, this eunuch preached the Gospel in Arabia Felix, Erythrya and Taprobane, Portuguese writers believed that it was a reference to Sri Lanka

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11. K.S. Latourette, *History of the Expansion of Christianity, Vol.2, The Thousand Years of Uncertainity,* New York, 1973, p.282
12. S.G. Perera, *Historical Sketches*, pp.2-4
    Mudaliyar, C. Rasanayagam, *Ancient Jaffna,* New Delhi, 1984,p.215-216
13. *Journal of Royal Asiatic Society, (Ceylon Branch)* Vol.20 No.60, p,54
    Fernao Queyroz, The *Temporal and Spiritual Conquest of Ceylon*, Colombo, 1916 Vol.1, pp.170-171
14. Jemes Orr(ed) *The International Standard Bible Encyclopaedia*, Vol.3, sub voce-Magi
15. *The Acts of the Apostles*, 8:27-39 S.G. Perera, *Historical Sketches*, pp.4-6
    Dowling, Abssinian Church, London, 1909
16. S.G. Perera, *Op.cit*
17. *Ibid*

as at that time, this island was known by that name [18]. The connection of his name with the footprint at Adam's peak also added to this belief. However, the Byzantine writer Sophronius (560-638) has clearly indicated that the island of Taprobane was in the Red sea where Christianity prospered from about the first century.[19]

The other story is the one that the Apostle Thomas visited the Island and evangelized it.[20] This apostle is credited to have evangelized various parts of India as well according to the legends current at the time of the arrival of the Portuguese in India. According to a legend recorded by Joao Ribeiro the apostale first lived in the Island and passed then to the Cholaramandal coast in India.[21] It is difficult to reject the Indian apostolate of St.Thomas as there are no facts either or to

According to this writer the apose came to the Island in A.D. 40 does not prove or disprove it concretely.[22] If the apostle actually worked in South India, one cannot easily reject the possibility of his coming to Sri Lanka as these two areas had close trade links during that time.[23]

One cannot deny the existence of a significant Christian community in neighbouring South India from at least the beginning of the third century.[24] They were concentrated more in the Malabar coast which had a closer relationship with Sri Lanka.[25] Many Malabar traders came to this country for trade and some had trading settlements in the ports of the island. The Christian influence therefore was felt in this country at least in some of the coastal towns from about the second or the third century of our era.

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18. E.Tennent, Ceylon, Vol.2, p.42;
Patrologia Graeca, Col.88, pp.1611-1842
19. *Patrologia Graeca,* ed.J.P.Migne, Vol.87,pp.3147 ff.
20. W.Wright, Apocryphal Acts of the Apostles, London, 1871
M.R.James, *The Acts Of Thomas,* Leiden, 1962 G.M.Moraes, *A History of Christianity in India,* Bombay, 1964, pp.22ff
21. Ribeiro, Joao, *Ribeiro's History of Ceilao with a summary of Barros, Couto etc.* tr. by P.E.Peiris, Colombo 1909 p.138
22. A.M. Mundadan, *History of Christianity in India,* Vol.1.
From the beginning up to the Sixteenth Century, Bangalore, 1982, pp.9-66
23. John Arakkal, M.V. Cyriac and Abraham Koothottil, 'Alienation or Liberation? Towards an evaluation of the History of Christianity in India', *Jeevadhara,* Vol.37, 1977, pp.16-85
24. Mundadan, *History of Christianity in India,* Vol.1, pp.78ft.
25. B.J. Perera, 'Foreign trade and commerce in ancient Ceylon', *Ceylon Historical Journal*, Vol. no.2,1951, pp.109-119

There is a concrete piece of evidence regarding the existence of a Christian community in Sri Lanka in the sixth century in the writings of the well known Greek topographer Cosmas (The Indian Sailor) Indeucopleustes.[26] In his *Christian Topography* the following account is found.

> " Even in Taprobane, an island in further India, where the Indian sea is, there is a Church of Christians with clergy and a body of believers."[27]
>
> "It is called Seilediba by the Indian, but by the Greeks Taprobane"[28]
>
> "The island has also a church of Persian Christians, who have settled there, and a Presbyter who is appointed from Persia, and a Deacon and a complete Ecclesiastical ritual. But the natives and their kings are heathen."

There is no doubt as to the identification of this Taprobane with Sri Lanka as Cosmas clearly indicates that the island known as Seiladive (Sihaladiva) by the Indians was the one he refers to as Taprobane.[30]

The account of Cosmas indicates four important facts. Firstly there was a church of Christians in the Island. They were Persians. These Persian Christians are credited for carrying the Gospel as far as China. The Persian Christians were found in the important trade centres in Asia in the sixth and the seventh centuries. They had a very close relationship with the Christians of neighbouring South India.[31]

There was Presbyter who was a appointed from Persia. The earliest form of Church organization was based on elders (presbyters). It resembled the elders of the Jewish synagogues. The presbytrate in its developed form in Persia possessed both authority in

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26. The Christian Topography tr. and ed. By J.W. McCrindle 1897 London, pp.363-367
27. For a different translation, see: E.R.Hambye.
28. The Ayrian Christian Church: *The Clergy Monthly Review,* Vol.16.1952 p.378
29. *Cosmas,* 364
    Hand book of Source Material for students of Church History, Madras 1969 Sligtly modified translation is found in W.G. Young p.29. This translation runs as follows: there is church of believers, but I do not know whether there are any in the country beyond it.
30. Paranavitana, *Ceylon and Malayasia*, Colombo 1966, p.16
31. Mundadan, *History of Christianity in India*, Vol.1, pp.99-100

administration and teaching. In Sri Lanka, there was also a deacon. This was the lowest rank in the Christian ministry below the presbyter.[32] It also indicates that there was a complete ecclesiastical ritual.

According to Cosmas, the Presbyter in Taprobane was appointed from the mother church in Persia. There is evidence to show that the neighbouring Christian church in South India also received their bishops from Seleucia from the sixth century.[33] The Persian conncetion shows that the church was Nestorian in their theology.[34] They believed in the Trinity and the incarnation. But their Christological belief in agreement will be teaching of Nestorian, monophisite. The humanity of Christ was emphasised. Mary was not represented as the mother of God. But as the mother of human Christ. The eucharist was regarded as a representation of body and blood of Christ symbolically. However, these Christological controversies were not significant for ordinary believers in the east. It is also clear that the mother church in Persia was not always able to supply the churches under its care with Presbyters and Bishops[35]. This was undoubtedly detrimental to the growth of the churches which were placed in predominantly non Christian surroundings. The lack of priests would have hampered the administration of salrements and giving of religious instruction.

The account of Cosmas clearly shows that the local population was heathen, indicating that there were no converts from the native population in the country.[36] The fact that their liturgy was in a foreign language would have made it difficult for the local people to participate in the worship. Thereby the Christians had become an exclusive group in a Heathen land. They were therefore unable to penetrate into the Sri Lankan society and failed to make an impact on the Sri Lanka's Buddhist culture.[37]

Anuradhapura Cross:-

The Persian connection of this Christian community is further confirmed by the Persian cross found in 1912 at the citadel of Anuradhapura by the Commissioner of Archaeology

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32. J.D. Douglas, *The New Bible Dictionary*, Leicester, 1976. p.1027
33. *Jeevadhara,* Vol.37, pp.29-30
34. F.L.Cross, *The Oxford Dictionary of the Christian Church*, London, 1957, pp.946-947
35. A.M. Mundadan, *Sixteenth Century Traditions of St.Thomas Christians*, Bangalore, 1970, pp.141 ff.
36. *Christian Topograaphy*, pp.364-365
37. H.C.Ray (ed) *University of Ceylon, History of Ceylon,* Vol.1 pt.1, 1959, p.387

at that time, Edward Ayrton.[38] The cross is cut in sunk relief on the side of a fragment of a square cut pillar.

Persian Crosses of similar type have been found in the neighbouring South India dating from the 6th century.[39] It is probable that the cross was a part of a building in the city of Anuradhapura, where a Christian workshop was conducted.[40]

Crosses of similar appearance have been found in the neighbouring Kerala State in South India.[41] The inscriptions written in the Pahlavi Language found in the background of these crosses in Maylapore and Kottayam in South India belong to a period between seventh and the ninth centuries.[42] The South Indian crosses, however, are much larger than the one found at Anuradhapura. Yet their ornamental similarities cannot be ascribed to mere chance. It is possible that the craftsmen of both countries shared some commonalities. This is not something new during the Anuradhapura period as even the Buddhist sculpturists also brought their craftsmanship from South India during that period.[43] The churches in South India did not have any images or sculptures in their churches until the time of the arrival of the Portuguese.[44] The only object of religious symbolism they had was the

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38. *Annual Reports of the Archaeological Survey of Ceylon for 1912-1913* Colombo, pp.5 ff
39. M.V. Cheriyan, *A History of Christianity in Kerala*, Kottayam, 1973, pp.88-89 G.M.Moraes, *A History of Christianity in India*, Bombay, 1964, pp.77 ff.
40. D.T.Devendra, 'The date of the Anuradhapura Cross' Journal of the *Royal Asiatic Society (Ceylon Branch) New Series*, Vol.5, 1956, pp.85-89
    Antoninus, AJ.B. 'The Anuradhapura Cross', *Catholic Christmas Annual* (Colombo), Christian building of the 6th century Anuradhapura. See also *Journal of the Royal Asiatic Society (Ceylon Branch) New Series* Vol.5, pp.90-92.
    Fernando, C.V.N. 'Early Christianity in Ceylon in pre-Portuguese Times. University of Ceylon Review, Vol.6, 1948, pp,196-200
    Mahávamsa, ed. By W.Geiger, London 1909 10 v.90 H.W.Codrington, *A Short History of Ceylon,* London, 1947, p.32
41. S.Gnanaprakasar *A History of the Catholic Church in Ceylon, Period of the beginning , 1505-1602,*Colombo, 1924,p.8
42. A.S.Ramanatha Ayyar, 'A New Persian Cross from Travancore, *The Ceylon Antiquary and Literary Register,* IX, 1923-24,pp.188-196
43. M. Quere, 'Christianity in Sri Lanka before the coming of the Portuguese', *Aquinas_Journal,* Vol.4,No.2, December, 1987,pp.127-153
44. A.M. Mundadan,*op.cit.*,p.422

cross.[45] These crosses were placed to serve as a background to the altars in the churches in Kerala. Most churches were built of wood and as a result they did not last long.[46] In Sri Lanka also wood and clay structure were common except for the buildings which had royal patronage. It is, therefore, unlikely that there will be any remains of those buildings since the tropical climate would not allow wooden structures to last long specially if they were neglected and exposed to sun and rain for a long time.[47]

Those who were reluctant to accept the fact that there was Christianity in Sri Lanka before the arrival of the Portuguese in the Island have suggested that the cross at Anuradhapura would have been a work of the Portuguese in the seventeenth century.[48] It is an accepted fact that the city of Anuradhapura was a place covered by jungle shrub and trees in the seventeenth century. The city was uninhabited and was in ruin from the time Magha destroyed the irrigation system of the Rajarata hydrolaestic civilization. In fact Anuradhapura ceased to be the capital of the Sinhalese kingdom in the tenth century.[49] Therefore it is difficult to believe that the Portuguese found it necessary to build a church in that desolate city. No Portuguese writing so far found has refered to a church put up by the Portuguese in Anuradhapura for the simple reason that such a building was not needed in an empty ruinous city. The Portuguese friar Negrao who was sent by Captain General Constantino da Sa to inspect the ruins at Anuradhapura found nothing of Christian origin in spite of two weeks traveling in the ruined city.[50] It is therefore clear that the Portuguese were not responsible for the construction of this cross at Anuradhapura.

The *Mahavamsa* Páli chronicle which was written during this period indicates that there was a section outside the western gate of the city of Anuradhapura known as *yonasabhaga vatthu* which was assigned to the Yavanas.[51] The Yavanas according to the ancient Sinhala

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45. A.M. Mundadan,*op.cit*.,pp.422-426
46. L.W.Brown, *The Indian Christians of Saint Thomas,* Cambridge, 1954, p.213.
47. *Aquinas*, *op.cit*., p.138
48. D.T.Devendra, 'The Date of Anuradhapura Cross, *The Journal of the Royal Asiatic Society* (Ceylon Branch) Vol.V.1957, p.85.
49. *Aquinas . op. cit*, p.139
    H.C.Ray (ed) *University of Ceylon – History of Ceylon*, Vol.1, pt.2.p.
50. Queyroz, Fr.Fernao, *The Temporal and Spiritual Conquest of Ceylon*, tr. By Fr.S.G. Perera, Colombo, 1930, p.1155
    Constantino da Sa was the administrator of the Portuguese territories in Sri Lanka from to.
51. E. Tennent, Ceylon, Vol.1,1977, pp 480-482

writers meant any foreigners from the land west of the river Indus.[52] The fifth century Chinese traveler Fa-Hien who was in Anuradhapura in A.D.412 refer to the presence of foreign traders at the city of Anuradhapura.[53] Therefore, it is clear that the Persian Christians who were actively trading in the Indian Ocean and in other parts of Asia were in Sri Lanka during the sixth and the seventh centuries.[54]

The Persians as well as the Ethiopians were intermediaries in the east west trade in the sixth and the seventh centuries. According to the account of Cosmas 'the island being as it is, in a central position, is much frequented by ships from all parts of India and from Persia and Ethiopia.[55] Theban of Crangenore writing during the same times in his travel account says that the ports of Sri Lanka were frequented by the traders of Persia and Ethiopia.[56] The seventh century Indian Buddhist monk Vajrabodhi who visited the island on his way to China says that there were 35 Persian ships in the Sri Lanka port of Po-Chi-Li.[57] The Persian connection during this period is further confirmed by the report of an invasion up to the ports of Sri Lanka by the Persian king named Vosros Nuzirvan in the seventh century. All these evidence prove that there was a considerable Persian community in Sri Lanka during the sixth and the seventh centuries [58].

This community was spiritually looked after by the mother church in Persia. In addition to the Persians, it seems clear that another Christian nation, Ethiopia, was also represented in Sri Lanka. The Ethiopians continued to visit Sri Lanka till the fifteenth century. There is no doubt as to the existence of a large foreign trading community in Sri Lanka during the period prior to the arrival of the Portuguese in the island. There were Muslims, Jews, Hindus and Christians among the foreign traders living in the coastal towns of Sri Lanka. The bulk of the native population remained Buddhist and Hindu although there were occasional conversions to other religions specially to Islam.[59]

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52. Geiger, *Culture of Ceylon in Medieval Times*, p.59,
University of Ceylon, History of Ceylon Vol.1, pt.1 pp. 103-104
53. Beal, S. *Buddhist Records of the Western World*, Vol.1, London, 1869, pp
54. Cosmas, *The Christian Topography*, pp.321 ff.
University of Ceylon, Vol.1, pt.1, p.362-363
55. The Christian Topography. Pp.365 ff., *Ceylon Historical Journal* Vol.1, No. 4 1952, p.303
56. 'Constantine and India: T.K. Joseph, *India Historical Journal*, Vol.28,1950, p.5
See also for Persian Traders in the ports of Sri Lanka of Protopius De Bello Persico' Tr. by H.B. Dewing, *Persian wars*, Vol.1 ch.20
57. *Journal Asiatic*, 1900, pp.418-421
58. *Ceylon Historical Journal*, Vol.1 No.4 p.303
59. Mundadan, *History of Christianity in India*, Vol.1, pp78-107

The fact that the Christian traders remained a foreign group made it difficult for the religion to penetrate the Sri Lankan population.[60] They could not preach the Gospel as the language gap kept them separate for centuries.[61] The traders who knew the local language were not willing to antagonize the local Buddhists at the risk of losing the lucrative profit that they received from trading in Sri Lanka.[62].

Other Crosses:

Two renowned Portuguese chroniclers refer to an ancient cross found in the neighbourhood of Colombo. Paulo da Trindade reports that in the neighbourhood of Colombo there was a church of the Apostle Thomas in which there was a small stone pillar with a cross carved on it [63]. Fernao de Queyroz also refers to a cross discovered in Colombo. It is clear that these chroniclers refer to a cross different from the one that was discovered at the citadel of Anuradhapura. It is interesting to note that there is an Anglican Church at Gintupitiya in North Colombo which is dedicated to Saint Thomas. This church is built on a hillock known as San Thome Pitiya where the Portuguese had their church of Saint Thomas [64]. This information is rather scanty to assume that there was an organized Christian community in Colombo. On the other hand we have to remember that Colombo was an ancient port with international dealings from the late Anuradhapura period.

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60. K.S. Latourette, *A History of the Expansion of Christianity*, vol.2 pp.282 ff.
61. S.G. Perera, *Historical Sketches*, p.11
    Yule, H. *Cathey and the Way Thither*, Hakluyt Society, London, 1866, pp.325 ff.
    The Franciscan Friar Geovanni de Marignolli who visited the port of Colombo in A.D. 1348 gives a detailed description of the island. The other friar who visited the island in the fourteenth century is Oderic, these priests do not report of any Christians in Sri Lanka. It is probable that there was none to speak of even though this was a time that the Christians in Europe looked up to the east for Christian support against Muslims. They on the other hand give a very valuable account on the church in Kerala. Moraes, *A History of Christianity in India,* pp.104 ff.
62. Mundadan, *A History of Christianity in India*, Vol.1. p.86
    See also W.G. Young, *Patriarch, Shah and Caliph,* Rawalpindi, 1974
63. Paolo da Trindade, *Conquista Espiritual do Oriente*, Chapters on the introduction of Christianity to Ceylon, translated and annotated by E.Peiris and Meersman, Colombo, 1972,p.2
64. Queyroz, *op. cit.*,p.715

Therefore one could not disregard the possibility of the presence of at least few Christians around the seventh century when the Persian Nastorians set up settlements in Sri Lankan ports for trade.[65] One would have to wait for further corroborative evidence before making any conclusion in this regard.

The Christians of Kerala were of no encouragement to the cause of Christianity in Sri Lanka. From about the tenth century they had become lukewarm Christians even to the extent of accepting the social institutions of the Hindu neighbourhood such as caste. Thereafter in Kerala the Christians became as rigid as a caste and resisted any idea of evangelism.[66]

It is clear from the Christian activities in the Island prior to the arrival of the Portuguese that there was no organized attempt to evangelize the island by Christians during that long period. The Portuguese were the first to introduce Christianity to Sri Lanka in order to deliberately convert the local population.

The Christians in Sri Lanka being foreign traders were subject to fluctuations in their influence in this country owing to the factors in their mother countries which affected their religion. The Muslim conquest of Iran in this respect was the most important event in the history of Christianity in the East. The situation in Sri Lanka was also affected by this. The Portuguese in this respect were in a better position owing to the collaboration of the church and state.

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65. L. Bevan, *A History of the Diocese of Colombo*. Colombo, 1946,p.23
66. L.W.Brown, *The Indian Christians of St. Thomas,* Cambridge, 1956, p. 173,
G,M. Moraes, *A History of Christianity in India,* p.294
Jevadhara, vol.7,no.37,1977, p.52:
Mundadan, *History of Christianity in India* Vol.1,pp.148 ff

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